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Inter-agency staff mobility and work/life balance in the organizations of the United Nations system

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Joint Inspection Unit entitled "Inter-agency staff mobility and work/life balance in the organizations of the United Nations system" (JIU/REP/2010/8).

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INTER-AGENCY STAFF MOBILITY AND WORK/LIFE BALANCE IN THE ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

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Geneva 2010

EXECUTIVE SUMMARY

Inter-agency staff mobility and work/life balance in the organizations of the United Nations system
JIU/REP/2010/8

The objective of the review is to assess the policies and mechanisms regulating staff mobility and work/life balance from a system-wide perspective, providing participating organizations and their respective governing organs with an independent, external assessment of relevant issues. The report contains recommendations and a set of proposals to harmonize and enhance staff mobility and work/life balance across the United Nations system.

This is not a review of the individual mobility policies currently in place within the respective organizations of the United Nations common system, nor of their respective implementation; nevertheless, the report refers to certain individual cases to illustrate examples or to draw conclusions from best practices and lessons learned.

Main findings and conclusions

Common system, diverse mobility needs

- The United Nations system is formed of very diverse international organizations. The mandates, size, operational needs and activities undertaken by them are very different; there are highly mobile entities coexisting with others where staff mobility is not a major concern. Given the considerable differences among system organizations, there is no "one mobility scheme fits all organizations". The Inspectors concur with this notion and stress that the ultimate end of mobility is to better meet the respective goals of each organization, thus if the goals are different for different organizations, individual mobility policies should also be different and adapted to the specific needs of each organization. However, inter-agency mobility can be promoted focusing on commonalities and values shared by all the international organizations belonging to the United Nations common system.

Staff-management dialogue: matching organizational needs with staff needs

- The Inspectors believe that there is a real need for improved dialogue between staff and management, and that staff should be formally represented and participate in the discussions of the Human Resources Network. The exclusion of staff from the talks leading to the development of comprehensive human resources management policies, including staff mobility, can only point towards failure, as the experience in several organizations has shown.

Mobility mechanisms in the United Nations system

- In 2005, the CEB issued the Inter-Agency Mobility Accord. The Accord was intended to replace the former Inter-organization Agreement, concerning transfer, secondment or loan of staff among the organizations applying the United Nations common system of salaries and allowances. The Inter-Agency Mobility Accord is the legal framework where the staff member, the releasing and the receiving organizations, which have adopted the Accord, agree and define their respective responsibilities. However, after five years since the Accord was launched, organizations have not yet reached a consensus on its use; some organizations use it, while others have not accepted it and

continue to use the former Agreement. This confusing situation does not facilitate system-wide mobility, and makes each individual case an exception and, depending on the specific circumstances of each transaction, a made-to-order contract is finalized.

- The Inspectors wish to draw the attention of system organizations to the potential legal implications of using two different legal instruments for the same purpose, thus creating different conditions that could lead to a perceived potential discrimination of some staff. They believe that it is time to reach consensus and urge organizations to agree on the use of just one legal instrument.

Inter-agency mobility data

- In order to assess the relevance of inter-agency mobility and to quantify the degree of success of mobility policies and initiatives, it is fundamental to establish meaningful indicators of achievement and the subsequent monitoring mechanisms. However, relevant data necessary to analyze the dimension and trends on inter-agency mobility are not easily available.

- Data provided by organizations show that inter-agency mobility is insignificant: the number of staff having moved between organizations, within the whole United Nations system, is below 300, or less than 1 per cent on average. Inter-agency mobility is driven by the needs of individual staff members; it is not the consequence of a planned strategy, nor of proactive actions taken by organizations, but a consequence of individual staff members' efforts aimed at obtaining a promotion, a more interesting job, or simply a desire to relocate. Inter-agency mobility is administered by organizations but it is not managed by them.

Harmonization of business practices within the United Nations system

- The harmonization of business practices is a must to facilitate inter-agency mobility. The Inspectors are pleased to note that organizations are well aware of this important issue, and support their current efforts to further harmonize business practices. Furthermore, they encourage the advancement towards a common set of staff regulations and rules for the whole United Nations system. A common system deserves common regulations and rules.

Delivering as one: one common system, one common system staff

- In the view of the Inspectors, it is evident that "delivering as one" implies one common system staff, ideally administered under the same set of regulations and rules, which unquestionably would facilitate system-wide mobility. This extent has been confirmed by experience. The evaluations undertaken of the "Delivering as One" pilot projects have concluded that further harmonization in the area of human resources management is needed. The lessons learned from these pilot projects demand enhanced harmonization and call for "one common system staff".

Developing a United Nations common system culture

- The United Nations common system is a complex structure formed by different international organizations, owners of very different organizational cultures individually crafted through years. This complex structure does not facilitate the development of a common culture. However, there are some cultural elements common to all the organizations, which in the view of the Inspectors should be the foundation for the further development of an as yet incipient common system culture. Focusing on commonalities and shared goals is the only way to successfully promote a common United Nations culture.

- There is still much to do to integrate the concept of mobility into a common system culture yet to be developed. However, there are many opportunities to introduce inter-agency mobility as an important element of an enhanced common system culture; in order to enhance it, particular attention should be paid to areas, such as disaster recovery, humanitarian assistance, peacekeeping and peacebuilding and broad technical cooperation, where society at large expects a coordinated and efficient response of the United Nations system.

Inter-agency initiatives, thinking forward

- Inter-agency mobility currently happens spontaneously based on staff initiative; it is not the consequence of a planned strategy, nor of proactive actions taken by organizations. Thus, the Inspectors encourage organizations to think "out of the box" and be creative. New inter-agency mobility initiatives could and should be built.

- This section includes some staff proposals and ideas gathered during the interviews undertaken by the Inspectors in their field missions. They hope that these ideas could serve as "food for thought" in the relevant discussions undertaken by organizations in the context of the CEB.

Dual career and staff mobility

- The difficulty of accompanying expatriate spouses being able to continue their professional careers is one of the most important hurdles to overcome in order to recruit highly qualified staff, as well as to promote staff mobility. This is mainly due to the legal restrictions imposed by host countries to access their respective local labour markets. It is a long-standing concern and the Inspectors regret that after repeated recommendations and General Assembly resolutions the issue has not yet been resolved. They reiterate the recommendation included in previous reports of the JIU, advising of the need to find a solution to this crucial concern. They call on organizations to continue their coordinated efforts. It is advisable to introduce this matter in negotiations of any new host country agreement and in future renegotiations of current ones.

Work/life balance in the United Nations system: current status and challenges

- Work/life balance in the United Nations system is understood as a set of different work arrangements aimed at achieving a more flexible work environment, with the final objectives of finding the optimum balance between professional and personal life, while contributing to enhance organizational efficiency. Some of the most popular work/life balance options provided by all organizations of the United Nations common system are flexi-time, maternity, paternity and family leave.

- The Inspectors consider that the number of work/life balance options available across the system cover reasonably well the needs of staff for enhanced flexibility at work. The issue, in their view, is not the choice of options but rather how these are implemented.

Medical and staff health considerations

- Staff health considerations should be an integral part of staff mobility policies. The Inspectors believe that there is a need for higher participation of the medical services in the development and implementation of relevant human resources management policies, including at the system-wide level. Medical services can help human resources management to make better and more informed decisions regarding staff mobility.

- Medical services have also a major role to play in supporting work/life balance programs. Unfortunately, health related services in the United Nations system, including counselling services, are not managed according to any cohesive policy, or management structure.

- The Inspectors adhere to the views of the Medical Directors Working Group which has expressed growing concern regarding the current capacity of the United Nations system to protect, manage, and monitor the health of its staff. This is of particular relevance to those staff deployed at hardship duty stations, and in the context of the United Nation's strategic movement towards mobility and increased field presence.

Recommendations for consideration by legislative organs and/or executive heads

➢ **Recommendation 1**

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should agree urgently on the contents and uniform use across the United Nations system of one legal instrument to regulate staff mobility among organizations of the United Nations common system. It should also define, inter alia, the respective responsibilities of organizations with regard to the allocation of financial liabilities related to the different types of staff movements.

➢ **Recommendation 2**

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should develop system-wide standards for the systematic collection, monitoring and consistent reporting of staff mobility relevant data, including inter-agency mobility and mobility internal to the respective organizations.

➢ **Recommendation 3**

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should elaborate a plan of action, including specific deadlines and responsibilities, for the development of one set of common staff regulations and rules applicable to the whole United Nations common system.

➢ **Recommendation 4**

The executive heads of the organizations of the United Nations common system should review their internal staff mobility and/or staff rotation schemes from a system-wide perspective, in order to make them supportive, consistent and coherent with inter-agency mobility initiatives.

➢ **Recommendation 5**

In the context of the CEB, the executive heads of the organizations of the United Nations common system should review their internal relevant rules, with a view to granting that all vacant posts within their respective organizations are open to all United Nations staff members, including those working in other system organizations on an equal basis as those established for their own staff.

➢ **Recommendation 6**

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should elaborate an inter-agency common system policy, including its legal framework, for new contracts and the subsequent induction of new staff joining any organization of the common system with a view to developing a common system culture.

➢ **Recommendation 7**

The Chief Executives Board for Coordination (CEB) should consider introducing new staff rotational/mobility schemes at a system-wide level and with a view to facilitating the voluntary participation of staff in humanitarian and/or peacekeeping activities.

➢ **Recommendation 8**

The Chief Executives Board for Coordination (CEB) should consider introducing new inter-agency staff mobility initiatives at a system-wide level based on the concept of common and specific occupational networks.

➢ **Recommendation 9**

The legislative bodies of the organizations of the United Nations common system should bring to the attention of the host countries' authorities the need to facilitate the access to local labour markets for the spouses of staff members of international organizations, through, inter alia, the granting of work permits or similar arrangements.

➢ **Recommendation 10**

The executive heads of the organizations of the United Nations common system should systematically assess the performance of work/life balance programmes periodically and include, inter alia, a cost-benefit analysis of such programmes as part of their regular performance reporting.

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ABBREVIATIONS

CCISUA	Coordinating Committee for International Staff Unions and Associations of the United Nations System
CEB	Chief Executives Board for Coordination
DC&SM	Dual Career and Staff Mobility programme
FAO	Food and Agriculture Organization of the United Nations
FICSA	Federation of International Civil Servants' Associations
GESA	Global Expatriate Spouse Association
HLCM	High-Level Committee on Management (of the CEB)
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organization
ICSC	International Civil Service Commission
IFAD	International Fund for Agricultural Development
ILO	International Labour Organization
ITC	International Trade Centre
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
LESA	Local Expatriate Spouse Associations
MIOE	Memorandum of Inter-Organization Exchange
PAHO	Pan-American Health Organization
UNECLAC	United Nations Economic Commission for Latin America and the Caribbean
UNESCWA	United Nations Economic and Social Commission for Western Asia
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNISERV	United Nations International Civil Servants Federation
UNOPS	United Nations Office for Project Services
UNRWA	United Nations Relief and Works Agency for Palestine Refugees
UNSC	United Nations Staff College
UNWTO	United Nations World Tourism Organization
UPU	Universal Postal Union
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WFP	World Food Programme
WTO	World Trade Organization

I. INTRODUCTION

1. The Joint Inspection Unit (JIU) conducted in 2009 a review of staff mobility and work/life balance in organizations of the United Nations common system. The review is the result of two different internal proposals originated within the JIU and included originally in its programme of work for 2008. The first proposal was related only to staff mobility, while the second referred to work/life balance. Subsequently, the JIU decided to merge both proposals into one.

2. The decision to prepare only one report, merging both issues, was made after the Inspectors learned that the Chief Executives Board for Coordination (CEB) secretariat had proceeded with the services of a consultant to look at work/life balance issues in the United Nations system. The analysis of the report[1] prepared by the consultant showed that there was a high degree of overlapping between the two initiatives, consequently the Inspectors decided to focus mainly on staff mobility; however this review includes one chapter on work/life balance issues taking into consideration and building up on the conclusions and recommendations contained in the paper prepared by the CEB secretariat.

3. The objective of the review is to assess the policies and mechanisms regulating staff mobility and work/life balance from a system-wide perspective, providing the participating organizations and their respective governing organs with an independent, external assessment of relevant issues with a view to recommending a set of proposals to harmonize and enhance staff mobility and work/life balance policies, procedures and related tools across the system.

4. The JIU reviewed the mobility policy introduced by the United Nations Secretariat in 2002 and prepared a report,[2] which recommended the basis for a sound development and implementation of a meaningful mobility scheme. However, this is the first time that a report of the JIU looks into staff mobility and work/life balance from a system-wide perspective. It should be noted that this is not a review of the individual policies currently in place within the respective organizations of the United Nations common system, nor of their respective implementations; nevertheless, the report may refer to certain individual cases to illustrate examples or to draw conclusions from best practices and lessons learned. This review does not examine mobility or movements of staff joining or leaving the United Nations common system.

5. Staff mobility and work/life balance are two major components of human resources management strategies. In fact, several officials interviewed believe that staff mobility is just one part of a wider work/life balance concept, given that nothing could influence more staff work/life balance than a stringent mobility requirement. Most of the United Nations system organizations make a difference between both concepts and consider work/life balance, as a set of options that allow for more flexible working arrangements and related conditions, such as telecommuting, flexible work time schedules, etc.; while staff mobility, up to date, stands on its own as a separate issue and excluded from being grouped in work/life balance issues. This trend might change, given that the Human Resources Network of the CEB at its 18th session introduced a wider concept: Staff Wellbeing, which includes work/life balance, staff mobility and staff counselling.

6. The United Nations system has evolved in the context of a fast changing environment and to new global challenges; technical cooperation, disaster recovery, humanitarian and peacekeeping related activities are increasingly in the agendas of the organizations of the common system, demanding organizations to do more and to do better, undertaking tasks everywhere in the world and through enhanced coordination between them, in particular at field level, with the ultimate objective of "Delivering as One". New demands from stakeholders have transformed organizational needs and several organizations have launched, inter alia, new staff mobility schemes in an attempt to respond to those new demands.

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[1] "Work/Life balance in the organizations of the United Nations system" (CEB/2008/HLCM/HR/11 rev 1).

[2] "Staff mobility in the United Nations" (JIU/REP/2006/7).

7. The preparation of the review involved missions to several headquarters duty stations (New York, Geneva, Vienna, Rome and Paris); two regional commissions: the Economic Commission for Latin America and the Caribbean (UNECLAC) and the Economic and Social Commission for Western Asia (UNESCWA); and selected regional and country offices (Mexico and Panama). In accordance with the internal standards and guidelines of JIU and its internal working procedures, the methodology followed in preparing this report included a preliminary desk review, questionnaires, interviews, management and staff group meetings and in-depth analysis. Interview guidelines were sent to some participating organizations and the Inspectors conducted interviews in the above locations; they also sought the views of the International Civil Service Commission (ICSC) and of the CEB, including their respective secretariats. Comments from participating organizations on the draft report have been sought and taken into account in finalizing the report.

8. In accordance with article 11.2 of the JIU statute, this report has been finalized after consultation among the inspectors so as to test its conclusions and recommendations against the collective wisdom of the Unit. Its conclusions and recommendations therefore reflect the views of the Unit.

9. To facilitate the handling of the report and the implementation of its recommendations and the monitoring thereof, annex III contains a table indicating whether the report is submitted to the organizations concerned for action or for information. The table identifies those recommendations relevant for each organization, specifying whether they require a decision by the organization's legislative or governing body or can be acted upon by the organization's executive head.

10. The Inspectors wish to express their appreciation to all who assisted them in the preparation of this report, and particularly to those who participated in the interviews and so willingly shared their knowledge and expertise.

II. INTER-AGENCY MOBILITY: STATE OF AFFAIRS

A. Common system, diverse mobility needs

11. The United Nations system is formed by international organizations, which have individually adapted through the years their structures and policies to global challenges and evolving demands from their stakeholders. The mandates, operational needs and activities undertaken by them are very diverse. In the common system, there are highly mobile entities coexisting with others where staff mobility is not a major concern. There are organizations with long-standing staff mobility schemes in place, while other organizations have not developed any formal staff mobility policy.

12. Funds and programmes, such as UNICEF, UNDP, UNHCR or WFP are clear examples of highly mobile entities, while highly specialized organizations such as UPU, UNWTO, WMO or WIPO are illustrative cases of organizations with low mobility requirements. In between the extremes, there is another category of organizations with wide geographical coverage of field offices, such as ILO, WHO, UNESCO or most of the United Nations Secretariat,[3] where mobility is relatively important but not as intensive as in those highly mobile entities mentioned above.

13. Interviews showed that, given the considerable differences among system organizations, there is no "one mobility scheme fits all organizations". The Inspectors concur with this notion and stress that the ultimate end of mobility is to better meet the respective goals of each organization, thus if the goals are different for different organizations, mobility policies should also be different. Mobility schemes, internal to one entity, are referred to

[3] The Department of Peacekeeping Operations (DPKO) is an exceptional case within the Secretariat.

within this report as intra-organizational mobility, or internal mobility while mobility between organizations of the United Nations common system is defined as extra-organizational mobility, or inter-agency mobility.

14. In addition to different organizational goals, there are other important elements that differentiate common system organizations. Organizations have evolved through time developing their own specific organizational cultures. The JIU in its report "Staff mobility in the United Nations" (JIU/REP/2006/7) referred to the importance of developing, promoting and supporting the right organizational culture for a sound implementation of mobility schemes. Entities like those referred above as highly mobile entities already have a "mobile culture", while other organizations have not introduced the concept of staff mobility in their own organizational cultures.

15. Some organizations have sporadically sought to introduce stronger mobility requirements (e.g. UN Secretariat, UNESCO, OCHA) but have faced considerable internal resistance as well as rules that are not geared towards making mobility schemes work. However, from a system-wide perspective, the Inspectors conclude that more efforts need to be made to further develop and strengthen a United Nations common system culture supportive of mobility. The issue of a United Nations common system culture is further analysed later in this review.

16. Another important element that differentiates organizations and to be considered in the context of inter-agency mobility is the highly specialized nature of the activities undertaken by organizations of the United Nations common system, which logically require very specialized human resources difficult to replace and also to redeploy to other entities. Mobility for these specialist categories of staff is costly and frequently inefficient. Most of the organizations recognize this difficulty within their own mobility policies, and limit the compulsory mobility requirements, if any at all, applicable to highly specialized jobs.

17. Despite the existing differences, the Inspectors fully support the growing idea that system-wide mobility needs to be further encouraged and facilitated; this should be done focusing on commonality and shared interests. The reasons range from increased staff motivation, discussed in subsequent paragraphs, to an enhanced system response to global challenges. It is clear that no single organization can provide a comprehensive answer to global challenges or to high-scale disaster recovery situations. Partnerships of all types, whether between system organizations, public or private sectors, demand higher coordination and a better understanding of others' practice. System-wide mobility can contribute to this extent promoting a better "Delivering as One", thus enhancing system-wide efficiency.

B. Staff-management dialogue: matching organizational needs with staff needs

18. The matching of organizational and staff needs can only be achieved through staff-management dialogue mechanisms; at system level, this dialogue should be established through system-wide machinery and the formal participation of staff representatives in some of the activities and meetings of the High-Level Committee on Management (HLCM).

19. The Inspectors are pleased to note the participation in HLCM discussions of the three staff federations: the Federation of International Civil Servants' Associations (FICSA), the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA) and the United Nations International Civil Servants Federation (UNISERV). However, despite the fact that staff federations are invited to some of the meetings of the Human Resources Network and participate in many of its working groups, as well as in the HLCM Steering Committee on Staff Safety and Security, staff federations, during their participation at the eighteenth session of the HLCM, reiterated their requests for enhanced dialogue with management and expressed their dissatisfaction with the current level of involvement of staff representation in the relevant discussions held within the HLCM.[4]

[4] Full statements made by each federation. Annexes III to V of "Report of the High-Level Committee on Management on its 18th session", New York, 29 and 30 September 2009 (CEB/2009/6).

20. The Inspectors believe that there is a real need for improved dialogue between staff and management and that staff should always be represented and participate, in particular, in the discussions of the Human Resources Network. The exclusion of staff from the talks leading to the development of comprehensive human resources management policies could only point towards failure, as experience in several organizations has shown.

21. The need to further develop a "system-wide organizational culture" supportive of staff mobility is highlighted in different parts of this report. In the view of the Inspectors, a mobile organizational culture implies, inter alia, staff understanding, support and involvement in the development of mobility policies, as well as participating in the management of its subsequent implementation.

C. Mobility mechanisms in the United Nations system

22. In 2005, the CEB issued the Inter-Agency Mobility Accord (the Accord). The Accord was intended to replace the former Inter-organization Agreement (the Agreement) that was last updated in 2003, concerning transfer, secondment or loan of staff among the organizations applying the United Nations common system of salaries and allowances. The Inter-Agency Mobility Accord is the contract, or legal framework, where the staff member, the releasing and the receiving organizations agree and define the respective responsibilities, applicable rights and conditions of the transaction. The Accord was approved in October 2005 by the HLCM at its 10th session (see CEB/2005/5, paras. 55-57 and Annex V).

23. In the Accord, the mobility concepts of "secondment" and "loan", as foreseen in the previous Agreement, have been replaced by a broader concept of "exchange", which is to be further customized by a specific Memorandum of Inter-Organization Exchange (MIOE). The Accord offers staff, in agreement with the receiving and the releasing organizations, the possibility to move to another system entity with (staff exchange) or without return rights (staff transfer).

24. The JIU, in its report on staff mobility in the Secretariat,[5] welcomed the launch of the Accord "as a major development towards the enhancement of staff mobility across the United Nations common system"; however, the Inspectors could ascertain during the interviews held with human resources officials that there is no uniformity in its use and application; some organizations use it, while others have not accepted it and continue to use the former Agreement, a third group of organizations are open to the use of any of the two. In this regard, it is important to note than "since some 16 organizations are implementing the Accord, it would be difficult for those implementing the Accord to go back to the previous Agreement".[6]

25. This lack of consensus among system organizations has created confusion resulting in administrative inefficiency, "as some Organizations have not implemented the Accord, the only option to release a staff member from a non-compliant Organization to a compliant Organization is on a transfer arrangement. Similarly when a staff member from a compliant Organization is released to non-compliant Organizations, there is an operational necessity on the receiving end for utilization of the old Agreement making transfer arrangements non-reciprocal. This imbalance has caused managerial and administrative difficulties and slowed the efficient movements of some staff".[7] However, it should be noted that agreements for temporary staff movements (secondments and loans) between organizations that apply different agreements have nevertheless been concluded. Not all organizations having implemented the Accord have experienced problems and some are satisfied with it, while those having experienced problems consider that "the Accord is complex and its implementation is time-consuming and cumbersome".[8]

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[5] "Staff mobility in the United Nations", JIU/REP2006/7, para. 94.

[6] "Conclusions of the meeting of the Human Resources Network, 18th session"; 23-25 June 2009; CEB/2009/HLCM/HR/46/Rev.1.

[7] Inter-agency mobility accord, CEB/2008/HLCM/HR/5, paragraph 5.

[8] Ibid, para. 5.

26. The Inspectors wish to draw the attention of common system organizations to the potential legal implications of using two different legal instruments for the same purpose, thus creating different conditions that could lead to a perceived potential discrimination of some staff. The existence of two agreements is problematic and efforts should be made to ensure that the same accord is adopted and applied by all organizations.

27. The Accord has been under revision for the past five years, since it was issued in 2005, and still there is no consensus on its use. Three years after it was issued, only 17 organizations had implemented the Accord,[9] while six organizations had not implemented it.[10] These figures have not changed substantially.

28. The Human Resources Network of the CEB established a working group on inter-agency mobility, in charge, inter alia, of the revision of the Accord, and during 2009 a legal opinion was requested of the Legal Network: however, the Legal Network has not been able to reach consensus regarding the Accord and its implementation. The Human Resources Network has noted at its recently concluded 20th session, held in July 2010 that 17 out of 23 organizations are applying the Accord, and has recommended that a single instrument be used by all organizations for the inter-agency mobility of staff.

29. This confusing situation does not facilitate system-wide mobility and makes each individual case an exception, and depending on the specific circumstances of each transaction, a made-to-order contract is finalized. The reasons for the lack of consensus are mainly the slightly different rules, regulations and entitlements, sometimes the different interpretation of the same rules; though the Inspectors believe that there is also a certain degree of protectionism and reservation within certain entities which believe that the Accord allows too much flexibility for the staff.

30. The Inspectors have noticed some reluctance to staff transfers within some organizations, in particular to receiving staff with high seniority from other organizations, due to the financial liabilities associated. Furthermore, they have been informed that some agencies have forced staff to give up seniority accrued in a given entity to accept a position in another. This is a serious and critical issue given that staff forced to ask for full termination from their original entity to join as a "new" staff member another organization, risk job security while also losing potential benefits/safety nets obtained through years of service. This practice should be avoided as it does not promote mobility; it is unfair and ethically questionable. The rights of staff acquired along the years should be preserved while taking into due consideration the issue of financial liabilities.

31. A cost-compensation mechanism, though in a very basic form, is contemplated in several clauses of the Agreement concerning transfer, secondment or loan of staff among the organizations applying the United Nations Common System of salaries and allowances. The Inspectors propose exploring new system-wide compensatory mechanisms that could allocate staff termination indemnities among system organizations according to, inter alia, the proportional length of service within each organization.

32. The Accord also allows for the sharing of termination indemnities through a negotiated MIOE. "All financial liabilities for transfers and inter-organization exchanges shall be borne by the Receiving Organization, unless otherwise agreed in a particular case between the organizations concerned and stipulated in the MIOE."[11] However, without a system-wide agreed framework for the sharing of costs, some organizations have individually developed their own "clauses", which in certain cases might seem discriminatory from a system-wide perspective.

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[9] Organizations having implemented the Accord: ILO, FAO, UNESCO, UPU, WMO, ITU, IMO, IFAD, WIPO, IAEA, UNDP, UNFPA, UNRWA, UNU, ITC, ICAO and UNIDO.

[10] Organizations which have not implemented the Accord: UN, WHO, PAHO, UNHCR, UNICEF and WFP.

[11] Inter-Agency Mobility Accord, article 7.1.

33. To illustrate this point, the Inspectors learned that one organization, when acting as receiving organization, has decided to request from the releasing organization, prorated terminal payments due to staff, in the event that separation of the staff member occurs within six years from the date of transfer to the receiving organization. This is just an example of an arbitrary clause applied by a given organization. A similar staff movement between different organizations might not include this specific requirement; this example serves also to illustrate the administrative complexity of individual tailor-made contracts, where many elements are open to individual and repeated negotiations.

34. Despite the fact that the Inspectors understand the reservations about the Accord, considered too flexible, thus open to negotiations and cumbersome to implement; they believe that the reservations against its use should have been discussed and solved before it was launched; now, after five years of discussions, an urgent decision needs to be made regarding its use. The Accord is just a tool; policies and tools are a prerequisite and should be in place first, if staff mobility is to be promoted effectively.

35. The Inspectors learned that a revised version of the Accord has been prepared with the collaboration of the FAO Legal Office; the revised text has been submitted to the Legal Network for comments and observations; however some organizations have expressed their concern about this attempt and believe that the previous Agreement should be updated.

36. Once the legal instrument is agreed, the Inspectors propose that organizations develop specific contractual templates to be used across the system, following the example of some entities which have developed their own contractual templates for each different type of possible movement. The use of standard templates would facilitate staff movements and prevent the individual application by organizations of certain clauses perceived in some cases as unfair and partial.

37. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 1

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should agree urgently on the contents and uniform use across the United Nations system of one legal instrument to regulate staff mobility among organizations of the United Nations common system. It should also define, inter alia, the respective responsibilities of organizations with regard to the allocation of financial liabilities related to the different types of staff movements.

D. Inter-agency mobility data

38. In order to appropriately assess the relevance of inter-agency mobility and to quantify the degree of success of mobility policies and initiatives, it is fundamental to establish meaningful indicators of achievement and the subsequent monitoring mechanisms. Surprisingly and despite that mobility and system-wide mobility have been subjects of debate among common system organizations for a long time, relevant data necessary to analyze the dimension and trends on inter-agency mobility are not easily available.

39. The ICSC kindly shared with the JIU the data collected from common system organizations through its 2009 questionnaire on inter-agency mobility. Subsequently, staff mobility data have been compiled by the JIU for the years 2007 and 2008 and additional data on staff movements for the year 2009 has been provided by organizations as reflected in annex I. The Inspectors are grateful to organizations for their cooperation in

providing data, without which it would have been impossible to have a clear picture of the real dimension of the matter, including its financial implications.

40. The Inspectors believe that staff mobility data should be systematically monitored and reported regularly by organizations, compiled at the CEB secretariat and included in relevant system-wide human resources statistics. This would undoubtedly benefit subsequent analysis, supporting the development of new policies and facilitating their consequent assessment and review. However, the Inspectors could not find comprehensive historical data that could be used to analyze mobility trends for long periods; this difficulty in obtaining relevant data was reflected by the secretariat of the ICSC already in 2003, "the data on the topic are scarce and may not be comprehensive but, such as they are, seem to indicate that mobility is still not widespread throughout the system; if anything, mobility between organizations may even be decreasing".[12]

41. The tables in annex I show figures, as reported by most organizations, for a three-year period (2007-2009). The Inspectors believe that a three-year period is too short to identify trends and to reach firm conclusions on staff mobility, which in their view could only be reached after the analysis of periods longer than 10 years. However, some basic conclusions can be drawn from the subject tables.

42. In order to provide a wider picture, the tables include figures on mobility internal to the organizations, as well as on inter-agency mobility. In order to analyze mobility flows, movements of staff, internal to the organization, have been further broken down for each participating organization into three major groups: staff movements from headquarters to the field, from the field into headquarters and from a field location to another field location. Inter-agency mobility includes two major groups, these are: staff leaving to and staff coming from another organization of the United Nations system.

43. It should be noted that some organizations did not provide any data; others only reported partially following their own criteria; some do not count staff transfers (a type of staff movement considered in the Accord not contemplating return rights to the releasing organization) as inter-agency mobility. Thus, despite the efforts made, data gathered might not be comprehensive. Additionally, some organizations indicated that their respective information management systems did not allow the direct reporting of the requested data, thus some organizations had to use "manual" procedures to consolidate data.

44. As indicated in preceding paragraphs the ICSC secretariat concluded in 2003 that mobility is still not widespread throughout the system. The CEB conducted a survey among system organizations and also concluded in 2004 that "inter-agency mobility exists but its extent is very limited at the present time".[13] Figures included in the tables confirm that inter-agency mobility continues to be insignificant.

45. Internal mobility shows a significant number of staff movements within certain organizations (i.e. UNHCR, UN Secretariat, WFP, etc.). However, inter-agency mobility is marginal, the number of staff having moved between organizations, within the whole United Nations system, is below 300, or less than 1 per cent, for the highest of the years considered.[14] This is not surprising, given that currently there are no effective inter-agency staff mobility policies in place; the small percentage of staff moving between organizations suggests that inter-agency mobility currently happens spontaneously; driven by individual staff members; it is not the consequence

[12] "Framework for human resources management: mobility", Note by the secretariat of the International Civil Service Commission. ICSC/57/R.4, para. 9.

[13] "Baseline survey on inter-agency mobility" CEB/2004/HLCM/R.21/Rev.1, para. 4.

[14] Even if only taking the official statistical data published yearly by the CEB just for Professional staff, regardless of source of funding and of type of contract, the percentages of Professional staff who moved between organizations are: 0.89 per cent in 2007; 0.92 per cent in 2008 and 0.74 per cent in 2009. (Staff data taken from CEB/2008/HLCM/HR/30, table 1A, for 2007; document CEB/2009/HLCM/HR/30, table 1A, for 2008; and CEB/2010/HLCM/HR/24, table 1A, for 2009.)

of a planned strategy, nor of proactive actions taken by organizations to promote it, but is a consequence of individual staff members' efforts, aimed at obtaining a promotion, a more interesting job or simply a desire to relocate. **Inter-agency mobility is administered by organizations but it is not managed by them.**

46. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 2

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should develop system-wide standards for the systematic collection, monitoring and consistent reporting of staff mobility relevant data, including inter-agency mobility and mobility internal to the respective organizations.

III. INTER-AGENCY MOBILITY: THE WAY AHEAD

A. Harmonization of business practices within the United Nations system

47. The harmonization of business practices is a must to facilitate inter-agency mobility and also to put an end to certain unfair situations, where for example staff of the same grade but from different United Nations entities and working in the same field location might receive different allowances. The Inspectors could determine during their field missions that in some locations, United Nations entities compete for the same staff, who move from one entity to another, depending on the type of contract offered or on the entitlements available respectively, including different work/life balance options.

48. The need for increased harmonization has been recognized by the General Assembly. Its resolution 63/311 on system-wide coherence "calls on the Secretary-General, in cooperation with members of the United Nations System Chief Executives Board for Coordination, to continue progress in the simplification and harmonization of business practices within the United Nations development system, and requests the Secretary-General ... to regularly inform the Economic and Social Council about progress being made and challenges encountered in this regard".[15]

49. In 2007, the CEB endorsed the Plan of Action for the Harmonization of Business Practices developed by the HLCM with the active participation of the United Nations Secretariat, funds and programmes and specialized agencies. The plan contemplates initiatives in four different areas: human resources, financial, procurement and supply-chain initiatives, and information and communications technologies, including knowledge sharing initiatives. The plan is funded through voluntary contributions and 8,805,493 USD have been received as of February 2010 from different donors.[16]

50. The human resources management component of the plan includes a comparative review of the staff regulations and rules of the organizations of the United Nations common system with particular attention to employment arrangements in non-Headquarters locations.

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[15] For resolution, see document A/RES/63/311.

[16] Plan of Action for the Harmonization of Business Practices in the United Nations System; CEB/2010/HLCM/6.

51. The review is structured in two phases; phase I includes a review of the contractual arrangements pertaining to the field workforce as well as a review of staff rules and regulations, policies and practices relating to issues arising from "Delivering as One" pilot countries, such as: harmonized job descriptions, classification and grading systems, common performance and promotion systems and the management of internal vacancies. While phase II will include a review of all remaining issues, not covered under phase I.

52. The Inspectors are convinced that such a review is necessary and that it should be comprehensive of all aspects related to recruitment and in particular to local employment conditions, including, inter alia, pension portability issues and differences in health insurance schemes, which in some cases make mobility unnecessarily difficult. For example, the Inspectors learned during their missions that two of the United Nations funds and programmes have outsourced their respective medical insurance coverage for local staff in a given location to different external providers. While there is nothing wrong with this practice, the result is that if local staff were to move from one programme to the other, entitlements and compensation ceilings for health related issues might differ considerably. These are in the view of the Inspectors the type of barriers that need to be overcome in order to facilitate and promote mobility.

53. The Inspectors are pleased to note that organizations are well aware of this important issue and support the harmonization of business practices. Furthermore, they encourage the advancement towards a common set of staff regulations and rules for the whole United Nations system. A common system deserves common regulations and rules. However, this is not an easy task, it is a long-term project and a detailed road map should be elaborated in the context of the relevant harmonization of business practices project, including specific responsibilities and clear deadlines.

54. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 3

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should elaborate a plan of action, including specific deadlines and responsibilities, for the development of one set of common staff regulations and rules applicable to the whole United Nations common system.

55. Harmonizing business practices at system-wide level frequently implies harmonizing and reviewing also individual policies, including mobility schemes. Most of the mobility schemes currently in place within individual organizations were logically developed focusing on specific organizational needs without major consideration for system-wide issues and only now some organizations are beginning to revise certain clauses of their respective mobility schemes to accommodate and regulate inter-agency mobility.

56. As indicated in the introduction, this review does not assess individual and specific mobility policies. However, the Inspectors believe than in addition to harmonizing business practices at a system-wide level certain mobility policies might require a review, in order to align and make them more coherent with generally accepted principles of good human resources management while taking into consideration system-wide issues related to mobility.

57. The announcement of certain mobility requirements made by the United Nations Secretariat in 2009, such as the need to comply with geographical mobility in hardship duty stations for promotions to the P-5 and above levels serves to illustrate this point. The mobility requirement was applicable only to internal candidates and, paradoxically, it placed Secretariat staff at a disadvantage against external candidates or candidates from other organizations, who were not required to comply with the geographical mobility requirement. The Inspectors

referred to this issue during the interviews held with officials of the Office for Human Resources Management (OHRM), pointing to a potential discrimination against internal candidates. The Inspectors are pleased to learn that such requirement was subsequently withdrawn; however, the example serves to illustrate how individual mobility policies can be inconsistent from a system-wide perspective.

58. Another example of system-wide inconsistency is the fact that General Service staff of the Secretariat are not allowed to apply to Professional posts within the Secretariat, unless they resign and apply as an external candidate; however General Service staff from other common system organizations can apply to Professional posts within the Secretariat as external candidates but without resigning from their current jobs.

59. A last example of elements of individual mobility schemes that have an impact on system-wide mobility is the practice of certain organizations which do not recognize promotions and/or experience gathered by their own staff while seconded, transferred of on loan in another system organization. Obviously, this approach does not contribute to enhance mobility. Again, there is no uniformity in this regard, given that there are organizations which do recognize promotions and/or experience gained when staff are on loan, secondment or exchange.

60. One of the most distinctive elements of the common system, shared by all system organizations, is the current staff grading system and its corresponding Common System of Salaries and Allowances, which implies the acceptance and recognition, across the system, of common staff grades. Thus, it is difficult to understand the logic or legal basis for not recognizing the grade of a staff member when it has been obtained in another system organization using the same grade/salary scale. Furthermore, one of the major arguments used by most of the organizations encouraging mobility is that mobility contributes to enhancing the experience and skills of staff, thus it would seem inconsistent to encourage on one side the acquisition of experience through mobility, and on the other not to recognize it when concerned staff return to the releasing organization.

61. However, the Inspectors understand that, in practice, there might be differences between job descriptions and that the criteria applied by different organizations to determine the grade of posts is not uniform, which makes it difficult to automatically recognize the grade of a staff member when obtained in a different organization. Nevertheless, these specific cases should be looked into carefully by human resources departments, who should finally decide if the experience obtained is enough to grant grade recognition or not. In this regard, the use of common job descriptions could help to alleviate this problem.

62. The above are just examples of components of individual mobility policies that, when analysed from a system-wide perspective, show inconsistencies and have an impact on the development of system-wide mobility. The scope of this review does not allow for a comprehensive analysis of all individual mobility schemes in place within organizations. However, specific mobility policies, internal to organizations, should be supportive of inter-agency mobility. In this regard the Inspectors advice organizations to review their own internal and specific mobility policies from a system-wide perspective trying to identify and correct inconsistencies.

63. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 4

The executive heads of the organizations of the United Nations common system should review their internal staff mobility and/or staff rotation schemes from a system-wide perspective, in order to make them supportive, consistent and coherent with inter-agency mobility initiatives.

B. Delivering as One: one common system, one common system staff

64. In order to better serve stakeholders, the United Nations system is engaged in different pilot projects, known as "Delivering as One", which aim at achieving higher efficiency through better coordination of the activities undertaken in a given country by the different entities of the United Nations system.

65. In the view of the Inspectors, it is evident that "delivering as one" implies one common system staff ideally administered under the same set of regulations and rules, which unquestionably would facilitate system-wide mobility. This has been confirmed by experience: "In the context of Delivering as One, pilot countries have requested further harmonization in the area of Human Resources and have identified a number of issues related to inter-agency mobility. ... Among these barriers are the different contractual arrangements, job classifications, grading, performance, promotion and recruitment".[17] The lessons learned from these pilot projects, as well as initiatives mentioned in previous paragraphs, such as the harmonization of business practices, call for "one common system staff".

66. Most organizations consider staff from other organizations of the United Nations common system only as external candidates when applying to posts within their organizations: however, some organizations have a reciprocity policy and consider candidates from a given organization as internal candidates, if that organization grants the same treatment to their staff. The Human Resources network of the CEB at its 2009 spring session agreed to conduct a survey on recruitment practices regarding the status of candidates from within the United Nations system as internal or external candidates. The survey concluded that only one organization considered both General Service and Professional staff from other organizations of the common system on the same basis as internal candidates. The survey also indicated that "Organizations were generally receptive to the idea of recognising each other's staff as internal candidates; however they reported a wide variety of practices leading to the conclusion that one size will not fit all".[18]

67. The Inspectors could ascertain during their missions that most of the officials interviewed favour the abolition of this barrier, considered unreasonable by many. They share this view and believe that all staff members working in any of the organizations of the United Nations common system should be considered internal candidates when applying to posts within the system, regardless of the organization, fund or programme they belong to.

68. In this respect, the Inspectors would like to refer to the Charter of the United Nations which indicates the prevailing criteria for the selection of staff: "The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity".[19] Thus, the division of current staff members of the United Nations common system between internal and external candidates seems an artificial barrier that should be abolished if system-wide mobility is to be truly promoted.

69. The secretariat of the ICSC expressed similar views indicating "All vacant posts throughout the common system should be open to all United Nations staff members. Furthermore, ... common system applicants should be considered on a par with other internal applicants and should be given priority over external candidates".[20]

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[17] Conclusions of the meeting of the Human Resources Network, 19th session; CEB/2010/HLCM/HR/18; para. 82.

[18] Conclusions of the meeting of the Human Resources Network, 18th session; CEB/2009/HLCM/HR/46/Rev.1; para. 48.

[19] Charter of the United Nations, Article 101.3.

[20] "Framework for human resources management: mobility" Note prepared by C. Brewster of South Bank University, London, with comments by the secretariat of the International Civil Service Commission; ICSC/57/R.4, para. 69.

70. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 5

In the context of the CEB, the executive heads of the organizations of the United Nations common system should review their internal relevant rules, with a view to granting that all vacant posts within their respective organizations are open to all United Nations staff members, including those working in other system organizations on an equal basis as those established for their own staff.

C. Developing a United Nations common system culture

71. The United Nations common system is a complex structure formed by different international organizations, owners of very different organizational cultures which have been individually crafted through years. This complex structure does not facilitate the development of a common culture. However, there are some cultural elements common to all the organizations, which in the view of the Inspectors should be the foundation for the further development of a still incipient common system culture. Focusing on commonalities and shared goals is the only way to successfully promote a common United Nations culture.

72. An organizational culture is a shared set of values, the result of many interrelated elements, such as staff and management, rules and regulations, type of activities undertaken, funding, geographical coverage, etc interacting together for long periods of time within one organization; it is intangible yet easily recognizable and shared by all members of the organization. The Inspectors are pleased to note that some progress has been achieved by organizations towards the development of a common system culture. Initiatives launched in the context of the CEB, such as, inter alia, the harmonization of business practices at field level, contribute to the development of a common culture, even if not planned initially for this specific purpose. Projects included under the "Delivering as One" initiative are also representative to illustrate examples of interaction between organizations which contribute to the creation of a common system culture.

73. Organizations, through their participation in system-wide mechanisms and/or jointly financed administrative activities, could further advance in the development of specific initiatives towards a "common system culture". The United Nations Staff College (UNSC), ICSC, CEB and JIU are key entities for the promotion and development of such a culture but organizations need also to make an individual effort to promote a common system culture within their own structures. Staff induction, training and development programmes should be used within organizations to, inter alia, promote a common system culture. Individual organizational cultures need and should be maintained; however, there is a need to find additional common ground and built stronger bridges between system organizations in order to strengthen a very incipient common system culture supportive of, inter alia, staff mobility.

74. There is still much to do to integrate the concept of mobility into a common system culture yet to be developed. A report prepared by a consultant also identified this issue as a major one. "The major concern is that most of the United Nations system have no accepted culture of mobility".[21] "This ... 'culture of immobility' is reinforced by some elements of the United Nations structure and its inherent legalism".[22]

[21] Ibid, para. 4.

[22] Ibid, para. 32.

75. One of the main characteristics of the United Nations common system is its international nature. Even the smallest organizations share this feature; consequently and in order to promote a common culture, staff joining the system should be aware and informed of the potential mobility implications of an international career. The international civil servant's professional career implies mobility, and in the view of the Inspector it also implies the understanding that mobility is intrinsically necessary to obtain the experience required to access senior positions. Organizations should inform newcomers (e.g. through specific contractual clauses, induction training, etc.) of the importance of mobility for the development of their professional careers. However, this should be a system-wide coordinated effort, a common framework or protocol should be developed and implemented within each organization but shared by all of them, thus contributing to the further development of a common system culture.

76. The implementation of the following recommendation is expected to enhance coordination and cooperation between the organizations of the United Nations common system.

Recommendation 6

The Chief Executives Board for Coordination (CEB), through its High-Level Committee on Management (HLCM), should elaborate an inter-agency common system policy, including its legal framework, for new contracts and the subsequent induction of new staff joining any organization of the common system with a view to developing a common system culture.

77. There are many opportunities to introduce inter-agency mobility as an important element of an enhanced common system culture, and particular attention should be paid to those areas, such us disaster recovery and humanitarian assistance, peacekeeping and peace building and broad technical cooperation where society at large expects a coordinated and efficient response of the organizations of the United Nations common system.

D. Inter-agency initiatives, thinking forward

78. Inter-agency mobility figures discussed in previous paragraphs do not show a clear trend and suggest that inter-agency mobility currently happens spontaneously based on staff initiative; it is not the consequence of a planned strategy, nor of proactive actions taken by organizations. Thus, the Inspectors encourage organizations to think "out of the box" and be creative. In this regard, new inter-agency mobility initiatives could and should be built. The following paragraphs include some ideas gathered during the interviews undertaken by the Inspectors in their field missions.

79. Several staff members, including experienced staff in the second half of their professional careers and from different organizations, expressed separately during the interviews and group meetings held by the Inspectors, their common interest in participating in a humanitarian assistance and/or a peacekeeping mission for a limited period of time on a rotational basis. However, staff members claimed that the information required for them to make an informed decision is not easily available; additionally some of them believe that the perceived complex bureaucratic processes in place do not encourage inter-agency mobility.

80. The Inspectors would support the launch of system-wide rotational arrangements targeted at facilitating voluntary mobility of staff wishing to participate in humanitarian and peacekeeping missions. These schemes should include, inter alia, a wide communication strategy covering all organizations of the United Nations common system, the use of rosters of qualified candidates from all common system organizations, new and simple administrative processes to facilitate paperwork and appropriate induction training.

81. The implementation of the following recommendation is expected to enhance the coordination and cooperation between the organizations of the United Nations common system.

Recommendation 7

The Chief Executives Board for Coordination (CEB) should consider introducing new staff rotational/mobility schemes at a system-wide level and with a view to facilitating the voluntary participation of staff in humanitarian and/or peacekeeping activities.

82. The Inspectors observed high interest on mobility issues in a considerable number of General Service staff, usually excluded in most of organizations from participating in mobility schemes. Some expressed their frustration at the lack of career development opportunities, in particular in small field offices. If mobility is generally accepted as having positive effects on staff career development and is a key in broadening staff experience, no staff category should be excluded from obtaining these benefits and new mobility schemes should be designed to, inter alia, overcome already identified problems.

83. New inter-agency mobility schemes limited to a given location or geographical area and open to General Service and locally recruited staff, might provide an answer to this issue. Whether through rotational or managed staff exchange initiatives, geographically limited, organizations can increase staff motivation offering new career opportunities, avoiding costly geographical relocation and related costs, or at least limiting them while at the same time contributing to a better "Delivering as One".

84. Additionally, organizations could look into the possibility of launching bilateral staff exchange agreements focusing on commonalities; they can also develop different internal mobility programmes targeting specific staff groups with specific needs, like for example the managed reassignment exercise for Junior Professional staff in the Secretariat, applicable only to newcomers at the P-2 level.

85. All mobility schemes in place include provisions for the exclusion of the participation of highly specialized personnel in mobility schemes. Highly specialized staff are costly to replace and difficult to move. Furthermore, organizations of the United Nations common system are themselves very specialized entities, whose substantive activities are very different and specific, ranging from meteorology or telecommunications to human health; thus a considerable number of staff, mostly specialists, might not be suitable for participating in any inter-agency-mobility exercise. However, there are common areas between organizations where mobility could be promoted through system-wide occupational networks.

86. In this regard, the Inspectors believe that inter-agency mobility initiatives in order to be effective, should also be designed around common activities, or occupations, like administration and management, finance, procurement, information and communication technologies, social and economy related, etc. This approach is being implemented within the United Nations Secretariat where staff can voluntarily join different occupational networks designed to promote staff mobility within specific job categories.

87. The implementation of the following recommendation is expected to enhance the effectiveness of the United Nations system.

Recommendation 8

The Chief Executives Board for Coordination (CEB) should consider introducing new inter-agency staff mobility initiatives at a system-wide level based on the concept of common and specific occupational networks.

88. While developing staff mobility schemes, organizations should be aware of associated costs since staff mobility involves important costs for organizations. The JIU, in its report "Staff Mobility in the United Nations"[23] referred to the financial implications of staff mobility within the United Nations Secretariat. Most of the organizations have not prepared clear financial estimates before launching mobility initiatives. The Inspectors stress the importance of a preliminary financial analysis in order to make informed decisions regarding the launch of new mobility initiatives.

89. The ICSC secretariat in one of its notes indicated that "one of the specialists consulted estimated the average cost of every move at $60,000".[24] Other officials interviewed provided figures in the range of $45,000. The JIU, in its report on "Staff Mobility in the United Nations",[25] estimated $50,000. However, these estimates refer to direct relocation costs such as, transportation, household removal, relevant insurance, staff entitlements, etc. A myriad of hidden costs, such as time to learn the new job and settle in a new location, relevant training and induction, time required to comply with lengthy administrative procedures, etc. are very difficult to quantify and additional to the amounts indicated.

90. Moreover, in addition to the "one-time" costs indicated above, there are recurrent costs associated to staff mobility for long periods of time, like the mobility allowance payable to internationally recruited staff paid as an incentive to encourage movement from one duty station to another in the form of flat amounts based on a cluster of moves ranging from one to seven, after five consecutive years at the same duty station, the mobility allowance is discontinued. A hardship allowance is also payable to internationally recruited staff on an assignment of one year or more, serving at duty stations in categories B to E. It should be noted that a review of the current methodology for the calculation of mobility and hardship allowances is planned for 2010-2011 by the ICSC.

E. Dual career and staff mobility

91. Several staff surveys and papers have referred to the difficulty of accompanying expatriate spouses to continue their professional careers due to the legal restrictions imposed to access the local labour market by most host countries, as one of the most important hurdles to overcome in order to recruit and retain highly qualified staff as well as to promote staff mobility within any organization; this extent is of particular relevance from a system-wide perspective. The lack of necessary work permits constitutes a strong disincentive to staff mobility, especially to the field.

92. Special spouse work permits are available in only a handful of countries, mostly in the "H" or "A" categories of the ICSC duty station hardship classification. "Specific provisions for United Nations system family members to work in host countries only exist in 9 countries of the world. In contrast the United States Foreign Service maintains work permit agreements with 153 countries".[26]

93. The issue of spouse employment is a well known and long standing one. The JIU has already twice recommended that governing bodies of the organizations of the United Nations common system find a solution in

[23] JIU/REP/2006/7, paras. 73-78.

[24] "Framework for human resources management: mobility" Note prepared by C. Brewster of South Bank University, London, with comments by the secretariat of the International Civil Service Commission; ICSC/57/R.4, para. 44.

[25] JIU/REP/2006/7, para. 76.

[26] "Spouse/Partner Work Permits: A Global Briefing", CEB/2009/DCSM/RTWBR.

coordination with host countries.[27] In 2002, the Secretary-General of the United Nations stated, "In order to enhance staff mobility across the United Nations system, we will ... approach Governments to explore possibilities for the renegotiation of host country agreements so as to allow United Nations spouses to work in those countries".[28] Additionally, the issue has been raised numerous times at inter-agency level. Furthermore, the General Assembly of the United Nations has passed two resolutions[29] encouraging Member States to consider granting work permits for the employment of spouses accompanying staff members of international organizations.

94. The Inspectors regret that, after repeated recommendations and resolutions, this issue has not yet been resolved. They can only reiterate the recommendation included in previous reports of the JIU, advising of the need to find a solution to this crucial issue for the promotion of inter-agency staff mobility. They call on organizations to continue their efforts to find a satisfactory solution in a coordinated manner and in cooperation with host countries. It is advisable to introduce this issue in negotiations of any new host country agreement and in future renegotiations of current ones. In this regard, the Inspectors consider that the agreement between the Swiss authorities and the World Trade Organization (WTO),[30] and the introduction of a new regime by the Swiss authorities called "Access to the Swiss labour market for the family members of staff members of permanent missions and international organizations",[31] could serve as a best-practice example. However, Member States should bear their share of responsibility in resolving this long-standing issue if they truly support, inter alia, staff mobility.

Recommendation 9

The legislative bodies of the organizations of the United Nations common system should bring to the attention of the host countries' authorities the need to facilitate the access to local labour markets for the spouses of staff members of international organizations, through, inter alia, the granting of work permits or similar arrangements.

95. In order to find a solution to the above issue, some organizations of the United Nations common system and the World Bank Group have taken a proactive approach, establishing the Dual Career and Staff Mobility programme (DC&SM), a small inter-agency initiative of the CEB Human Resources Network, which follows the mandate of the 2004 UNDG Joint Guidance Note on the Employment of Expatriate Spouses. Furthermore, some organizations (i.e. FAO) have adopted policies to enable spouses of staff members to work for them. Following this example, organizations not having yet done so, could consider the feasibility of changing internal rules so as to give preferential consideration over external candidates in recruitment processes to equally well-qualified expatriate spouse applicants, in accordance with paragraph III/16/d of the Joint Guidance Note on the Employment of Expatriate Spouses.

[27] "Young professionals in selected organizations of the United Nations system: recruitment, management and retention"; recommendation 10; (JIU/REP/2000/7) and "Review of the headquarters agreements concluded by the organizations of the United Nations system: human resources issues affecting staff", recommendation 1; (JIU/REP/2004/2).

[28] "Strengthening the United Nations: an agenda for further change" (A/57/387).

[29] General Assembly resolutions 47/226 of 30 April 1993, and 36/130 of 14 December 1981.

[30] Accord entre la Confédération suisse et l'Organisation mondiale du commerce en vue de déterminer le statut juridique de l'Organisation en Suisse; conclu le 2 juin 1995. Entré en vigueur le 2 juin 1995 (0.192.122.632).

[31] See www.eda.admin.ch/eda/en/home/topics/intorg/un/unge/gepri/mandir/mandi1.html.

96. The programme is intended to help expatriate families to settle in to their new duty station, and to assist expatriate spouses to obtain employment. A key feature of the programme is its website, which publishes career opportunities; it also offers country-specific information on subjects such as accommodation, health, schools and getting around. In addition, Local Expatriate Spouse Associations (LESA) are being established in United Nations and World Bank Group duty stations under the overall responsibility of their respective Resident Coordinators and UN Country Teams. These associations assist spouses with their career concerns and provide on-site information and help to families moving into a new duty station. The work of the LESA is coordinated by the Global Expatriate Spouse Association (GESA) which is based in Geneva and managed by the Secretariat of the CEB.[32]

97. An evaluation of the DC&SM programme, carried out in late 2009 determined that "the programme has been successful in establishing a significant number of LESAs that represent about 55 per cent of the current international professional population. The GESA has also successfully raised the profile of the problem of international professional recruitment and retention, making sure that it is considered at the highest levels across the UN system".[33] However, the evaluation identified the following issues:

- There is a lack of quantitative evidence relating to the costs caused by spouse dissatisfaction. Much of the data needed is available but estimates have not been made.
- LESAs operate as voluntary organizations outside the official boundaries of the UN presence in a duty station; they are often not accorded the importance that they deserve and they also suffer from a lack of sustainability due to personnel changes.
- The technological infrastructure is very limited and does not provide LESA members with appropriate services.
- The United Nations is not providing spouses with consistent access or support for professional development opportunities.

IV. WORK/LIFE BALANCE

A. Work/life balance in the United Nations system: current status and challenges

98. Work/life balance in the United Nations system is understood as a set of different work arrangements aimed at achieving a more flexible work environment, with the final objectives of finding the optimum balance between professional and personal life, while contributing to enhance organizational efficiency. Some of the most popular work/life balance options provided by all organizations of the United Nations common system are: flexi-time, maternity, paternity and family leave. However, organizations offer many other options, as reflected in annex II.

99. Several studies conducted in the corporate world have concluded that an appropriate balance between work and personal life through flexible work arrangements results in higher staff motivation and increased productivity through reduced operational costs.[34]

100. However, work/life balance considerations are not among the most important reasons to join the United Nations system, as reflected in the results of the 2008 ICSC staff survey on recruitment and retention (ICSC/67/CRP.9; see tables paragraphs 13, 20 and 21). In fact they are among the least important in a list of 17

[32] The information contained in this paragraph has been taken from www.unstaffmobility.org

[33] "An evaluation of the United Nations' DC&SM programme". UN DC&SM evaluation draft v3.

[34] Clutterbuck, D., (2003) "Managing work-life balance: a guide for HR in achieving organizational and individual change", Chartered Institute of Personnel and Development, London, UK.

different reasons for joining the United Nations system; furthermore its already relative small importance diminishes as the age ranges of candidates to join the system increase. The same pattern can be observed in the reasons of staff to stay; work/life balance considerations are also among the least important ones, however its relative importance is higher for staff than for external candidates. There are no major differences related to gender in terms of different responses to the same question, whereas age and category of staff do introduce some differences. Work/life balance seems to be relatively more important for respondents of the General Service category.

101. The Human Resources network, at its 2007 summer session, agreed that the CEB secretariat would proceed with the services of a consultant to look at work/life balance issues in the United Nations system, including an inventory on the joint and individual work/life activities taking place across the system. A comprehensive report[35] was prepared and considered by the Human Resources network in spring 2008; since then, organizations have met to discuss the report and its recommendations initiating a global work/life balance working group.

102. The subject report provides details of the current status of work/life balance policies and implementation of the different options across the United Nations system. It underlines certain issues, confirmed by the Inspectors at staff group meetings organized during their field missions and relevant from a system-wide perspective, such as the need to harmonize work/life balance options at field level to avoid unnecessary competition for the same staff by organizations offering different benefits package in the same location.

103. The report concludes that "given the wide variety of mandates, missions, organisational and system-wide objectives and HR strategies, it is almost impossible to provide a single standard for WLB [Work/Life Balance] and SWB [Staff Wellbeing] programmes ... However, harmonization and coordination of efforts is essential to ensure equity for staff in duty stations around the world, to promote inter-agency mobility and 'Delivering as One'". Finally, it offers organizations three different sets of work/life balance options, defined within the report as: minimum, medium and "gold" standards. For ease of reference, annex II shows the options included in each standard.

104. The idea behind the three standards is that the minimum standard represents the options that organizations, legally or statutorily, are obliged to provide; while the medium standard includes policies used by field oriented organizations. The gold standard adds policies, not mandatory but considered effective. Subsequent meetings of the working group on work/life balance further revised the concept of the three standards, and participants suggested that it would suffice to have only two sets of options, instead of three, given that most organizations already fulfil the minimum standard, most of which is mandatory across the system. In the latter proposal, the first standard would be a combination of the minimum and medium ones, while the second standard would be the current gold standard.

105. The Inspectors consider that the number of work/life balance options available, if properly applied, cover reasonably well the needs of staff for enhanced flexibility at work. The issue, in their view, is not the choice of options but rather how these are implemented. Regarding the use of the standards described above, the simplest option of having a basic standard, available system-wide, combined with a second optional standard, which would include the rest of the work/life options that could be chosen locally and individually to match staff and specific organizational needs, has been agreed by all organizations; this measure would help to minimize the issue of organizations competing for the same staff as mentioned in previous paragraphs, while providing some flexibility.

106. The Inspectors stress the importance of a results-based culture, as a prerequisite to appropriately implement work/life balance options. This issue is also identified in the CEB report "Work/Life balance in the organizations of the United Nations system" (CEB/2008/HLCM/HR/11 rev 1). A results-based culture focuses on outputs and

[35] "Work/Life balance in the organizations of the United Nations system", (CEB/2008/HLCM/HR/11 Rev 1).

results; where and how these are achieved are secondary considerations. However, the degree of understanding and application of results-based initiatives by management is uneven, not only across the system but in frequent cases also within the same organization; leading perhaps to one of the most important work/life balance issues identified by the Inspectors: the considerably unbalanced implementation of work/life balance programmes across and within organizations.

107. Field missions confirmed the disparity in implementing work/life balance programmes. The Inspectors noted that in certain locations work/life balance options are only launched years after these are available in headquarters duty stations. The decision on which options are available in given locations is frequently taken by local management. The location is also the determinant factor for the launch of certain work/life options, given that some options, such as telecommuting, might be appropriate only in certain locations; thus, which options should be available in a given place, is a decision to be made locally after appropriate staff-management consultations.

108. In order to better understand staff needs, some managers have established the necessary dialogue, including through the use of surveys, launching those work/life balance options considered most adequate by all parties in the location; others, manage work/life balance options in an arbitrary manner. Some organizations openly recognize that "supervisors have difficulty to promote the use of flexible working arrangements in their departments".[36] In this regard, the Inspectors would like to recall the role of human resources management services and its responsibility in guaranteeing the even implementation of human resources management policies across a given organization.

109. Last but not least, work/life balance programmes should also include implementation monitoring, reporting and evaluation mechanisms. The ultimate goal of work/life balance programmes is to enhance organizational efficiency through increased staff satisfaction. Hence, a qualitative assessment of the programme would be required in order to determine to which degree and at what cost the goal is achieved.

110. In this regard, the Inspectors found that there is considerable room for progress, given that "UNDP is the only organization that runs a specific staff well-being unit with a separate project budget for its activities. This gives a good start to costing some WLB/SWB programmes, but not enough basis for a sound cost-benefit analysis across the UN system".[37] In order to fully assess the benefits, the Inspectors urge organizations to introduce cost-benefit analysis, both, qualitative and quantitative, as an integral part of their work/life balance programmes.

111. The implementation of the following recommendation is expected to enhance the efficiency of the organizations of the United Nations common system.

Recommendation 10

The executive heads of the organizations of the United Nations common system should systematically assess the performance of work/life balance programmes periodically and include, inter alia, a cost-benefit analysis of such programmes as part of their regular performance reporting.

[36] Flexible Working Arrangements at the United Nations; paragraph 10. Results of a staff survey conducted on the UN Secretariat intranet, iseek, in 2009 by the Office of the Special Adviser on the Advancement of Women and Gender Issues (OSAGI).

[37] "Work/Life balance in the organizations of the United Nations system" (CEB/2008/HLCM/HR/11 Rev 1).

B. Medical and staff health considerations

112. Staff health considerations should be an integral part of staff mobility policies. The Inspectors held meetings with senior medical officials in order to obtain their views on current staff mobility and work/life balance schemes. The Inspectors share the views expressed below and support the proposals made, in particular by the Medical Services Division (MSD) of the United Nations Secretariat. However, they are concerned to learn that medical services were not consulted when staff mobility policies were developed by the Secretariat and stress the importance to systematically include health issues in current and future staff mobility and work/life balance schemes.

113. When medical services conduct their clearance processes, the medical condition and capabilities of an individual are assessed against the intended job description, taking account of the environment of intended deployment If it is to be a requirement that staff should be mobile, and capable of deployment over a career to a variety of duty stations, including hardship duty stations, this has a significant impact on the medical standards that should be applied. In this sense, medical services claim that job descriptions are mostly deficient in content regarding physical and geographical requirements for future deployment.

114. There may be circumstances where a job candidate is fit for work in a headquarters post, but for medical reasons could not be deployed to areas where medical infrastructure is limited. In such cases, the process of medical clearance should be a joint interaction between medical services and human resources management, where medical services determine capabilities and limitations, and human resources determines whether such limitations can be accepted, or not. The concept of restricted mobility due to, inter alia, medical reasons needs to be further developed within most of current mobility schemes, including inter-agency mobility mechanisms.

115. If candidates could be excluded from employment (or lateral move/promotion opportunities) for medical reasons, the impact on career development, and potential for claims of "medical discrimination" need to be considered, and policy determined.

116. The United Nations has recently signed the Convention on the Rights of Persons with Disabilities. This has significant impact on many issues, including the way in which the UN administers disability benefits, termination of contracts for health reasons, and requirements for mobility. Once again, the employment process, including mobility schemes, needs interaction between medical services and human resources management, with medical services determining capabilities and possible needs for workplace accommodation, and human resources determining whether such needs can be reasonably accommodated, or not.

117. The Inspectors believe that there is a need for higher participation of medical services in the development and implementation of relevant human resources management policies, including at system-wide level. Medical services can help human resources management to make better and more informed decisions regarding staff mobility. A best-practice example is provided by MSD, engaged in developing pre-deployment psychosocial assessment tools that are intended to identify staff who may be less resilient regarding hardship deployment, and more vulnerable to stress and its consequences. The intention is not to prevent deployment, but rather to identify opportunities for more effective and targeted mission preparedness interventions, and to alert mission medical support personnel regarding staff members who may need proactive assistance.

118. Medical services have a major role to play in supporting work/life balance programs, and other aspects of psychosocial health and wellbeing. Unfortunately, psychosocial services in the United Nations system, including counselling services, are not managed according to any cohesive policy, or management structure. This problem (lack of capability to manage health-care services) is not isolated to psychosocial issues — the UN, in fact, does not have a policy for occupational health and safety at all.

119. Senior medical management is aware of this situation which is trying to correct, through a program to motivate and implement strategic change in the way that the UN views and implements healthcare. In this regard,

a paper detailing this situation and providing a new vision was recently presented to the HLCM.[38] Through this document the United Nations Medical Directors Working Group has expressed growing concern regarding the current capacity of the UN system to protect, manage, and monitor the health of its staff adding that "this is of particular relevance to those staff deployed at hardship duty stations, and in the context of the UN's strategic movement towards mobility and increased field presence".[39]

120. The Inspectors would like to draw the attention of the organizations of the United Nations common system to the disturbing final conclusion contained in the above-mentioned paper: "The UN system's Medical Directors have deep concerns regarding the current status of occupational health and safety in the UN system, and consider it an absolute priority to re-evaluate, restructure, and reorient health-care services".[40]

V. CONCLUSION

121. It is generally accepted that a structured mobility scheme may enhance staff capabilities, providing staff with a broader experience. However, organizations should go beyond this widely accepted mantra; mobility should not be an end in itself.[41] Staff mobility is key to achieving organizational goals; it is fundamental to deliver where the services of organizations are required and to react to emergencies or global challenges; additionally, in the view of the Inspectors, enhanced system-wide mobility would translate into a better understanding by staff of the complexities and peculiarities of different system organizations, thus contributing towards "Delivering as One".

122. The Inspectors believe that staff mobility should have a purpose: to better meet organizational needs, in this case system needs, while appropriately taking into account staff needs. Only a proper match of organizational and staff needs can guarantee a solid base for a successful development and implementation of staff mobility and work/life balance initiatives.

123. Inter-agency mobility is currently driven by staff members' individual initiative and not by organizations, who should take a proactive approach and develop new mobility schemes in consultation with staff. The major hurdle to overcome is the need to harmonize practices and tools across the system, thus regulations and rules should be common to all organizations. The Inspectors are pleased to note that progress has been made and that organizations are advancing in the necessary harmonization of practices in different areas; they encourage them to continue the effort at a faster pace given the strategic importance of the "Delivering as One" concept.

[38] "Healthcare and its management in the United Nations System" (CEB/2009/HLCM/32).

[39] Ibid, para. 1.

[40] Ibid, para. 13.

[41] A/55/253, annex III, para. 5(a).

Annex I: Staff mobility data for 2007, 2008 and 2009

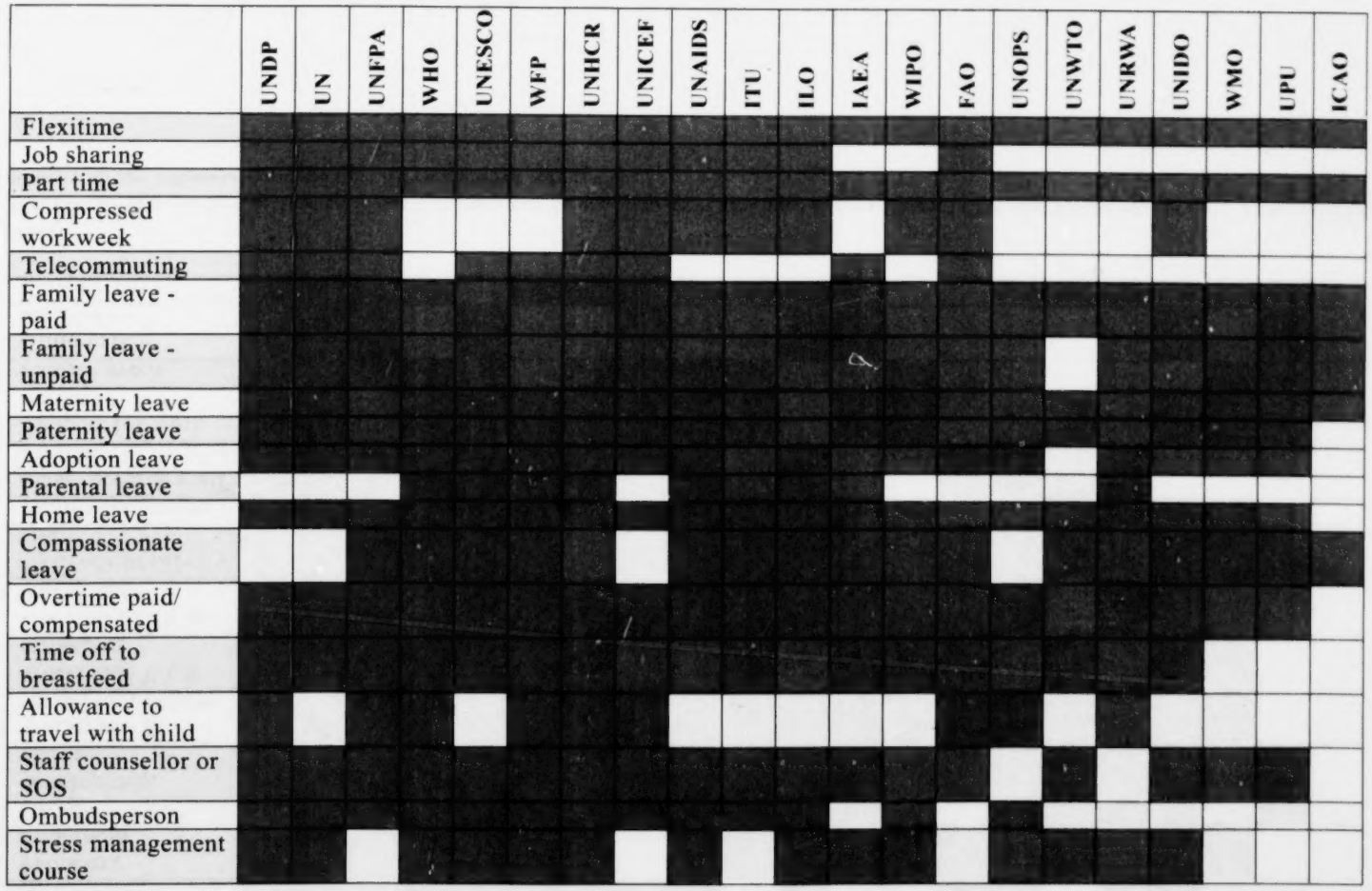
	2007							2008							2009						
Organizations	Intra-Agency Mobility				Inter-Agency Mobility			Intra-Agency Mobility				Inter-Agency Mobility			Intra-Agency Mobility				Inter-Agency Mobility		
	HQ Out [1]	HQ In [2]	F - F [3]	**Total**	Out [4]	Into [5]	**Total**	HQ Out [1]	HQ In [2]	F - F [3]	**Total**	Out [4]	Into [5]	**Total**	HQ Out [1]	HQ In [2]	F - F [3]	**Total**	Out [4]	Into [5]	**Total**
UN	24	53	227	304	71	71	142	36	64	326	426	52	111	163	113	180	240	533	54	106	160
IAEA	4	3	n/a	7	3	4	7	4	6	n/a	10	5	3	8	5	8	n/a	13	1	15	16
ICAO	2	3	1	6		3	3	4		1	5	4	3	7	n/a	1	2	3	3	6	9
ILO	12	14	3	29		2	2	8	12	7	27	6	3	9	22	29	40	91	2	0	2
UNDP [6]				121	78	5	83				178	43	27	70					45	30	75
UNICEF	31	43	247	321	57	38	95	40	46	329	415	47	54	101	43	43	294	380	23	26	49
UNIDO	13	7	3	23	3	2	5	5	1	1	7		1	1	3	3	1	7	3	3	6
UPU				0			0				0			0				0			0
WFP	42	75	198	315	23	4	27	54	68	218	340	34	3	37	59	54	224	337	20	8	28
UNESCO	12	10	27	49	5	3	8	20	7	33	60	4	4	8	15	9	24	48	2	8	10
WHO [9]	1076			1076		1	1	370			370		3	3	410	49		459	2	4	6
FAO	34	10	33	77	1		1	20	6	26	52	1		1	16	7	26	49			0
ITU				0	1		1				0	1	5	6	1			1		3	3
IMO [8]																					
UNFPA	7	5	18	30	7	6	13	19	22	69	110	3	6	9	30	11	64	105	3	10	13
UNHCR	71	59	343	473	32	1	33	91	70	368	529	23	4	27	64	102	327	493	16	3	19
UNRWA	7	3	4	14	2	6	8	1	1		2	5	3	8	3	2	3	8	4	6	10
WIPO [7]					3	2	5	1			1	1		1	n/a	n/a	n/a		n/a	n/a	
WMO				0	1	4	5				0	2	1	3	1			1	1	3	4
UNWTO				0			0				0				0			0			0
							439							**462**							**410**

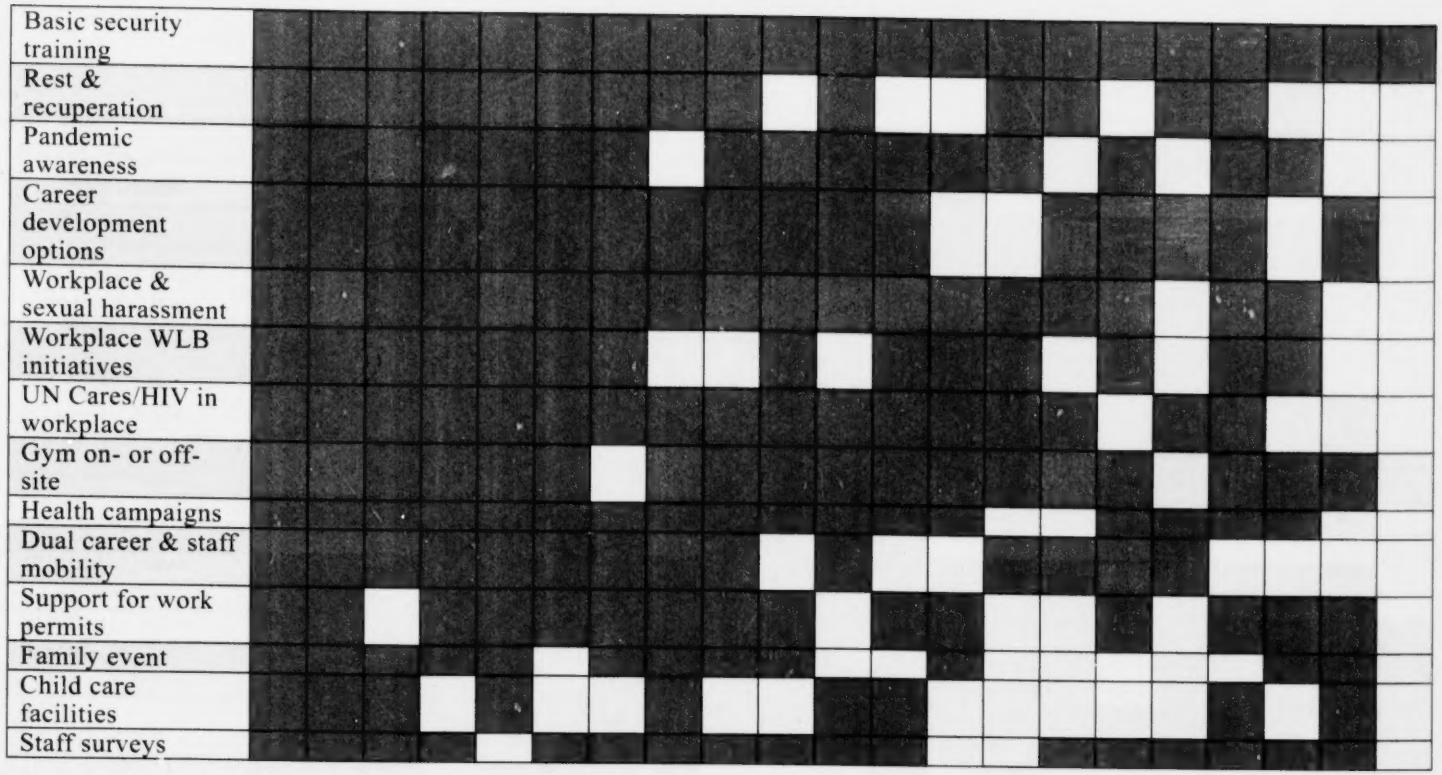
Legend:

n/a: Not available

[1] HQ Out: Professional staff - Moved from headquarters to non-headquarters within the organization
[2] HQ In: Professional staff - Moved from non-headquarters to headquarters within the organization
[3] F-F: Movement of staff from field to field within the organization
[4] Out of the Organization: Professional staff who moved to another UN system organization
[5] Into the Organization: Professional staff who moved from another UN system organization
[6] UNDP: No disaggregated figures for Intra-Agency Mobility (2007 and 2008 data taken from ICSC survey), 2009 data for Intra-Agency Mobility not yet provided
[7] The data for 2007 and 2008 for these organizations has been taken from the ICSC but not yet confirmed, and they have also not yet provided the data for 2009
[8] There is no data for IMO in the ICSC survey, and the organization has not provided data
[9] The figure for 2007 is far higher than those for the other years given that WHO could not distinguish various categories more precisely for this year due to the introduction of the new Global Management System (GSM); therefore, this figure includes all reassignments for that period - including reassignments across programmes within HQ -and not just those out of HQ to one of the WHO regions

Annex II: Work/life balance programmes in the organizations of the United Nations common system (2008)





Source:

Chief Executives Board for Coordination, "Work/Life balance in the organizations of the United Nations System", CEB/2008/HLCM/HR/11– rev 1, 28 August 2008, updated with new information received from JIU participating organizations.

Annex III: Overview of action to be taken by participating organizations on JIU recommendations
JIU/REP/2010/8

		Intended impact	United Nations, its funds and programmes												Specialized agencies and IAEA												
				UNCTAD	UNODC	UNEP	UN-HABITAT	UNHCR	UNRWA	UNDP	UNFPA	UNICEF	WFP	CEB	ILO	FAO	UNESCO	ICAO	WHO	UPU	ITU	WMO	IMO	WIPO	UNIDO	UNWTO	IAEA
Report	For action		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	For information																										
Recommendation 1		c												E													
Recommendation 2		c												E													
Recommendation 3		c												E													
Recommendation 4		c	E	E	E	E	E	E	E	E	E	E	E		E	E	E	E	E	E	E	E	E	E	E	E	E
Recommendation 5		c	E	E	E	E	E	E	E	E	E	E	E		E	E	E	E	E	E	E	E	E	E	E	E	E
Recommendation 6		c												E													
Recommendation 7		c												E													
Recommendation 8		e												E													
Recommendation 9		o	L	L	L	L	L	L	L	L	L	L	L		L	L	L	L	L	L	L	L	L	L	L	L	L
Recommendation 10		g	E	E	E	E	E	E	E	E	E	E	E		E	E	E	E	E	E	E	E	E	E	E	E	E

Legend: **L:** Recommendation for decision by legislative organ
E: Recommendation for action by executive head
Recommendation does not require action by this organization

Intended impact: **a:** enhanced accountability **b:** dissemination of best practices **c:** enhanced coordination and cooperation **d:** enhanced controls and compliance **e:** enhanced effectiveness **f:** significant financial savings **g:** enhanced efficiency **o:** other

* Covers all entities listed in ST/SGB/2002/11 other than UNCTAD, UNODC, UNEP, UN-HABITAT, UNHCR, UNRWA.

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Joint Inspection Unit

Inter-agency staff mobility and work/life balance in the organizations of the United Nations system

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly his comments and those of the United Nations System Chief Executives Board for Coordination on the report of the Joint Inspection Unit entitled "Inter-agency staff mobility and work/life balance in the organizations of the United Nations system" (JIU/REP/2010/8).

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Summary

The report of the Joint Inspection Unit entitled "Inter-agency staff mobility and work/life balance in the organizations of the United Nations system" seeks to assess the policies and mechanisms that regulate staff mobility and work/life balance in the United Nations system organizations. The report provides participating organizations with an independent, external assessment of the issues related to staff mobility and proposes recommendations to harmonize and enhance staff mobility and work/life balance policies and procedures.

The present note presents the views of United Nations system organizations on the recommendations provided in the report. The views of the system have been consolidated on the basis of inputs provided by member organizations of the United Nations System Chief Executives Board for Coordination, which welcomed the report and noted that it underscored many of the ongoing issues that were being reviewed and discussed within various human resources forums.

I. Introduction

1. The report of the Joint Inspection Unit entitled "Inter-agency staff mobility and work/life balance in the organizations of the United Nations system" (JIU/REP/2010/8) seeks to assess the policies and mechanisms that regulate staff mobility and work/life balance in the United Nations system organizations. The report provides participating organizations with an independent, external assessment of the issues related to staff mobility and proposes recommendations to harmonize and enhance staff mobility and work/life balance policies and procedures.

II. General comments

2. Organizations of the United Nations system welcomed the report of the Joint Inspection Unit on inter-agency staff mobility and work/life balance, and noted that it underscores many of the ongoing issues that were being reviewed and discussed within various human resources forums, notably the International Civil Service Commission (ICSC) and the Human Resources Network of the Chief Executives Board for Coordination (CEB). Agencies also noted that the majority of the recommendations by the Joint Inspection Unit were being acted upon by entities tasked with human resource responsibilities.

3. Agencies further found that the report highlighted important facts and principles regarding inter-agency mobility, and welcomed the recognition within the report that a "one-size-fits-all" approach was not applicable to staff mobility owing to the differing operational requirements across agencies with diverse mandates. Further, they noted that the recommendations raised interesting principles and ideas regarding inter-agency mobility; however, agencies continued to have concerns regarding the feasibility of some of the recommendations in the short term, and highlighted as examples recommendations 3 (a single set of staff rules for all United Nations agencies), 6 (common contracts) and 8 (inter-agency moves).

4. Agencies agreed that dual-career support was a key consideration in their ability to attract and retain qualified staff, and that facilitating the acquisition of local work permits was only one element. Agencies suggested that another significant element in need of strengthening was the local networking among international organizations and spouses. Networking should be encouraged, supported and monitored centrally.

5. Finally, agencies also agreed that the medical services of United Nations organizations should participate more actively in the development and implementation of the relevant human resource management policies regarding staff mobility, as noted in the report.

III. Specific comments on recommendations

Recommendation 1

The CEB, through its High-level Committee on Management, should agree urgently on the contents and uniform use across the United Nations system of one legal instrument to regulate staff mobility among organizations of the United Nations common system. It should also define, inter alia, the respective responsibilities of organizations with regard to the allocation of financial liabilities related to the different types of staff movements.

6. CEB members largely supported this recommendation, and noted that action had already been taken within the inter-agency mechanisms (the High-level Committee on Management, the Human Resources Network and the Legal Network) to address the challenges inherent in promoting inter-agency mobility. Agencies stressed the importance of clarifying the financial liabilities of both the releasing and receiving organizations during and beyond the inter-agency mobility, such as long-term liabilities after the movement is completed.

Recommendation 2

The CEB, through its High-level Committee on Management, should develop system-wide standards for the systematic collection, monitoring and consistent reporting of staff mobility relevant data, including inter-agency mobility and mobility internal to the respective organizations.

7. Agencies supported the concept of system-wide standards to achieve consistent reporting of staff mobility data, as called for in recommendation 2. They stressed, however, the need to ensure that these standards remain simple and do not overburden agencies with complex reporting requirements, and that they can be easily integrated into existing human resource information systems. Agencies also stressed the need to have only one central data repository responsible for collecting and analysing this type of data; currently agencies report similar data under different formats to working groups specific to ICSC, CEB and the Human Resources Network.

Recommendation 3

The CEB, through its High-level Committee on Management, should elaborate a plan of action, including specific deadlines and responsibilities, for the development of one set of common staff regulations and rules applicable to the whole United Nations common system.

8. Organizations of the United Nations system generally supported the harmonization processes, but they expressed reservations regarding recommendation 3, which called for the development of one set of common staff regulations and rules applicable to the entire United Nations common system. They noted that, overall, organizations of the common system had fairly similar staff regulations and rules but that major differences in the implementation of regulations and rules emerged through agency-specific tools such as administrative manuals, administrative instructions and guidelines where some collaboration between agencies would be useful to avoid duplication. Further, where differences in rules and regulations did exist, changing them to achieve alignment might require agreement of governing bodies, an action

outside the control of executive heads and inter-agency mechanisms such as the High-level Committee on Management.

Recommendation 4

The executive heads of the organizations of the United Nations common system should review their internal staff mobility and/or staff rotation schemes from a system-wide perspective, in order to make them supportive, consistent and coherent with inter-agency mobility initiatives.

9. In response to recommendation 4, which called for organizations of the United Nations system to review and adapt their internal mobility schemes, many agencies highlighted that there were existing mobility practices in place intended to enhance inter-agency mobility. However, agencies noted that until the inter-agency mechanisms addressed concerns about the existing inter-agency mobility accord, any internal reviews conducted by agencies would have limited value. In addition, for some agencies, existing rotation policies were based on a statutory requirement, and therefore were not amenable to variation to meet system-wide coherence objectives.

Recommendation 5

In the context of the CEB, the executive heads of the organizations of the United Nations common system should review their internal relevant rules, with a view to granting that all vacant posts within their respective organizations are open to all United Nations staff members, including those working in other system organizations on an equal basis as those established for their own staff.

10. Agencies of the United Nations system generally supported the concept of considering applicants from other United Nations bodies on an equal basis as internal staff for all vacant posts, as called for in recommendation 5, but with reservations. Many organizations noted that existing staff rules gave preference to internal candidates for various reasons, including, for example, favoured treatment for internal staff members on abolished posts, and this consideration should remain in any future agreement. However, the issue of reciprocity remained the greatest challenge agencies faced when considering modifying staff rules to allow applicants from other United Nations agencies to compete on par with internal applicants, and some agencies have therefore established bilateral agreements that allow staff members from the two agencies to be considered as internal applicants for all vacancies. Agencies further noted that an inter-agency project was under development to open vacancies for General Service positions in the field to other United Nations common system organizations on a voluntary and reciprocal basis, focussing on functional clusters.

Recommendation 6

The CEB, through its High-level Committee on Management, should elaborate an inter-agency common system policy, including its legal framework, for new contracts and the subsequent induction of new staff joining any organization of the common system with a view to developing a common system culture.

11. Agencies of the United Nations system supported the concept of an inter-agency common policy for new contracts and the development of a common system culture through harmonized induction procedures. They noted that this issue was under review within the inter-agency human resources mechanisms. Agencies did not consider it difficult to introduce a "common culture" but emphasized, as noted in the report, that the specificity of each organization should also be recognized and maintained (e.g. the culture and practices of a humanitarian organization were likely to be different from those of an organization that focused on development issues). Agencies stressed, however, that there was much to do in the area of harmonization, and that a common culture would flourish more readily in an environment of enhanced harmonization of rules and practices.

Recommendation 7

The CEB should consider introducing new staff rotational/mobility schemes at a system-wide level and with a view to facilitating the voluntary participation of staff in humanitarian and/or peacekeeping activities.

12. Agencies supported recommendation 7 as a way to encourage inter-agency mobility. They noted that it might require human resource divisions to review existing practices and procedures regarding the release and return rights of staff members who participate in the mobility programme for temporary periods, and to review the available options for managers to replace staff members who are released to peacekeeping missions. Agencies also suggested that, if the intent of the recommendation is to promote mobility by creating an inter-agency roster of qualified staff to be deployed in emergencies, such a roster would need to be coordinated between the different emergency response mechanisms of each organization.

Recommendation 8

The CEB should consider introducing new inter-agency staff mobility initiatives at a system-wide level based on the concept of common and specific occupational networks.

13. Agencies supported this recommendation and expressed a willingness to explore the concept of exchanges of staff encumbering the same or similar posts at the same level in two different organizations within occupational groups. While the actual implementation details would need to be developed (for example regarding the level of remuneration and the costs of relocation if the two organizations are not in the same duty stations), agencies viewed such exchanges as beneficial to both the staff members and the organizations.

Recommendation 9

The legislative bodies of the organizations of the United Nations common system should bring to the attention of the host countries' authorities the need to facilitate the access to local labour markets for the spouses of staff members of international organizations, through, inter alia, the granting of work permits or similar arrangements.

14. Agencies strongly supported the call in recommendation 9 for enhanced access to labour markets for spouses of staff members of international organizations. Agencies noted that Italy was selected to be one of two pilot duty stations for the implementation of the joint negotiation approach, proposed by the Dual Career and Staff Mobility programme, for agreements with the host Government on the granting of labour permits to spouses. Agencies also noted that the Food and Agriculture Organization of the United Nations was designated as lead agency to negotiate with national authorities on behalf of organizations based in Rome and Italy regarding the possibility of and modalities to grant work permits to United Nations spouses. Agencies also suggested, however, that unless a new international obligation was established — for instance by modifying the general conventions on privileges and immunities of staff members of the United Nations and its specialized agencies — legislative bodies would have no authority to request individual member States to adapt their internal legal systems to suit the mobility needs of United Nations system organizations. At best, legislative bodies could encourage or remind host countries to ease their domestic practices as a contribution to facilitating inter-agency mobility.

Recommendation 10

The executive heads of the organizations of the United Nations common system should systematically assess the performance of work/life balance programmes periodically and include, inter alia, a cost-benefit analysis of such programmes as part of their regular performance reporting.

15. Agencies welcomed the analysis of work/life balance presented in section IV of the report, with many recognizing the importance of these programmes as a factor in staff motivation and satisfaction; however, although many agencies had implemented work/life balance policy assessments, not all agencies supported, or had plans to include, a cost-benefit analysis as part of these assessments. Therefore, agencies largely took note of the recommendation, but indicated that the process of conducting a cost-benefit analysis would not be straightforward, and would have welcomed within the report some direction regarding standard criteria or key performance indicators for cost-benefit analysis of most typical work-life balance programmes.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 65/105, concerning Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem. The report examines themes identified in resolution 65/105, including the right to life and security; displacement and other practices affecting the demographic composition of the Occupied Palestinian Territory; the firing of rockets and mortars against Israeli civilian areas resulting in loss of life and injury; restrictions on the freedom of movement and goods; and arrests and detention.

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I. Introduction

1. The present report addresses progress made in the implementation of General Assembly resolution 65/105, entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem". The period covered is 20 August 2010 to 30 June 2011. The information contained in the report is based on monitoring and other information-gathering activities carried out by the Office of the United Nations High Commissioner for Human Rights (OHCHR)[1] and other United Nations entities in the Occupied Palestinian Territory. It also contains information obtained from Israeli, Palestinian and international non-governmental organizations (NGOs), human rights defenders and media sources.

2. The report examines the following themes identified in resolution 65/105:

(a) Right to life and security, in particular the killing and injury of civilians;

(b) Displacement and other practices affecting the demographic composition of the Occupied Palestinian Territory;

(c) Firing of rockets and mortars against Israeli civilian areas resulting in loss of life and injury;

(d) Restrictions on the freedom of movement and goods;

(e) Arrests and detention.

3. It is noted that several themes identified in resolution 65/105 are addressed in separate reports of the Secretary-General submitted to the General Assembly at its sixty-sixth session. These include the theme of Israeli settlements in the Occupied Palestinian Territory, which is addressed in the report of the Secretary-General pursuant to General Assembly resolution 65/105 (A/66/364) and the theme of the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories, addressed in the report of the Secretary-General (A/66/362) pursuant to General Assembly resolution 65/103.

4. It is further noted that the human rights situation in the Occupied Palestinian Territory is reviewed in the report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolutions S-9/1 and S-12/1 (A/HRC/16/71). The situation in the Occupied Palestinian Territory is also reviewed in other recent reports, including the status of implementation of the recommendations of the United Nations Fact-Finding Mission on the Gaza Conflict (see A/HRC/12/48), which is addressed in the report of the Secretary-General submitted pursuant to Human Rights Council resolution 16/32 (A/HRC/18/49).

[1] OHCHR monitoring of individual cases involves interviews with victims and witnesses of alleged violation(s) and, in many cases, site visits to the location where the alleged violation(s) occurred.

II. Implementation of resolution 65/105

A. Right to life and security

5. According to information gathered by United Nations entities in the Occupied Palestinian Territory, the total number of Palestinians killed by Israeli security forces during the reporting period was 91 persons, 50 of whom were believed to be members of armed groups. A total of 1,592 Palestinians were reportedly injured, of which 1,528 were civilians not affiliated with an armed group. During the same period, 11 Israeli civilians were reportedly killed and 40 wounded.[2]

Killings and injuries in the course of hostilities

6. The majority of casualties related to armed conflict occurred in Gaza. According to information gathered by United Nations entities, Israeli-Palestinian conflict-related violence in Gaza claimed the lives of 80 Palestinians in Gaza and 2 Israelis in the Gaza vicinity.[3] This included 30 Palestinian civilians and 1 Israeli civilian.[4] OHCHR monitored many cases in which Palestinians civilians not taking part in hostilities were killed.

7. The most intense escalation of incidents related to armed conflict since the end of the Israeli Operation Cast Lead occurred during April. The Israeli Defense Forces (IDF) frequently attacked targets across Gaza, striking military as well as civilian objects. In April, those attacks resulted in the death of 23 Palestinians, including 9 civilians, 2 of whom were children, and 64 injured, including 57 civilians, 17 of whom were children.[5] Also in April, Palestinian armed groups fired 120 rockets and 92 mortar shells into Israeli territory,[6] which resulted in the death of a 16-year-old Israeli boy and the injury of two Israeli civilians.[7]

8. On 2 September 2010, two Israeli tank shells landed in the Shurrab area of Gaza, killing an elderly Palestinian man and two Palestinian children. The three had been working on their farm and were not taking part in hostilities. It was reported that they were targeted because they were thought to be aiming a rocket launcher at the Green Line fence, and in the general direction of an IDF patrol.[8] In another case,

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[2] Statistics obtained from the Office for the Coordination of Humanitarian Affairs. These are overall numbers for the reporting period. Statistics on deaths and injuries provided in the present report concern specific periods or geographic areas or themes and are included in the overall number of casualties.

[3] Figures obtained from the Office for the Coordination of Humanitarian Affairs, 27 June 2011.

[4] Ibid. The Israeli victim was killed in Israel from a missile fired from Gaza.

[5] Office for the Coordination of Humanitarian Affairs, *The Humanitarian Monitor*, April 2011, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_05_19_english.pdf.

[6] According to Department of Safety and Security, Communication dated on 26 June and 9 July 2011.

[7] Office for the Coordination of Humanitarian Affairs, *The Humanitarian Monitor*, April 2011, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_05_19_english.pdf.

[8] OHCHR monitored this case and sent a letter to the Israeli authorities in December 2010 requesting information on it. At the time of drafting, no response had been received. The Israeli media quoted military sources as confirming that the three victims were not militants. See *Haaretz*, 15 September 2010, "IDF probe: Palestinians killed by IDF shelling were not militants," available at http://www.haaretz.com/print-edition/news/idf-probe-palestinians-killed-by-idf-shelling-were-not-militants-1.313855.

on 18 January 2011, IDF targeted a 17-year-old boy who was removing an object from the site of an explosion which had occurred a few hours earlier. In addition to shooting the boy, IDF fired a tank shell, which resulted in the injury of three civilians who were in the same area collecting rubble.[9]

9. On 8 April 2011, an IDF missile struck a house in the Abassan Al Kabira area of Gaza, killing a mother and her daughter, and injuring two girls who were sitting in the courtyard. Witnesses interviewed by OHCHR stated that the immediate area in which the house is located had never been used by armed groups to launch mortar shell or rocket attacks.[10]

10. On 22 March 2011, Palestinian militants fired three mortar shells towards IDF soldiers stationed at the eastern area of the Green Line fence around Gaza. The shells caused no physical injuries or damage. In response, IDF fired four or five mortar shells, one of which struck a house in the Al-Tufah neighbourhood of Gaza City, killing 4 Palestinian civilians, including 2 children, and wounding 12 others.[11] According to United Nations sources, earlier the same day IDF had conducted an incursion into the same area[12] and should have been aware of the presence of civilians.

11. The killing of civilians not taking part in hostilities violates the right to life as guaranteed by article 6 of the International Covenant on Civil and Political Rights. These cases also raise questions regarding IDF respect for the basic provisions of international law when planning and carrying out an attack; these provisions include those relating to the distinction between civilians and combatants and between civilian objects and military targets, proportionality between the expected military advantage of the attack in relation to potential injury to civilians, and the need to take precautions when evaluating the effects of the attack and choosing the weapons to be used. According to media reports some of these cases have been the subject of initial reviews by IDF.[13] However, no information meeting international standards of thoroughness, independence, and impartiality was available regarding any investigations into these cases.

Killings and injuries during operations of Israeli security forces

12. Excessive use of force by Israeli security forces in their policing operations in the West Bank continued to be a cause for concern, with unarmed civilians having been injured and killed during the reporting period. OHCHR monitored the cases of four unarmed Palestinians who were killed at checkpoints during routine patrols or during arrest operations.

13. In some cases unarmed civilians were killed during night raids on their houses, where IDF soldiers surrounded a house and entered without prior warning. On 17 September 2010, several dozen IDF soldiers entered the Nur Shams refugee camp early in the morning and raided 12 houses. One Palestinian man was killed and eleven were detained. In one of the targeted houses, Eyad As'ad Ahmed Abu-

[9] OHCHR monitored the case.

[10] OHCHR monitored the case.

[11] According to Department of Safety and Security sources.

[12] Ibid.

[13] Haaretz on 15 September. IDF probe: Palestinians killed by IDF shelling were not militants, http://www.haaretz.com/print-edition/news/idf-probe-palestinians-killed-by-idf-shelling-were-not-militants-1.313855.

Shelbayeh was sleeping. He was unarmed when the soldiers broke into the house, rushed to his bedroom and shot him at the foot of his bed. According to the information available to OHCHR at the time of finalizing this report, no investigation had been opened into the case.[14] In another case, in the early hours of 7 January 2011, dozens of IDF troops surrounded a house in Hebron, broke into the second floor of the house, rushed to a bedroom and opened fire on Mr. Qawasmeh, a 66-year-old man who was asleep in his bed. According to accounts collected by OHCHR, when the soldiers realized that they had raided the wrong apartment, they proceeded to the first floor of the house and arrested a man who was apparently the intended target. IDF announced that it would investigate the killing and, on 19 January 2011, expressed deep regret and announced that it would terminate the career of one the soldiers involved.[15]

14. In a number of incidents, Israeli security forces have opened fire on unarmed civilians while they were crossing checkpoints or during routine patrols. On 4 October 2010, a group of unarmed men had allegedly climbed over the Wall in the vicinity of Zaim village, in order to reach their workplaces. An Israeli Border Police patrol gave chase and one of the men was shot and killed. According to media reports, the Police Investigation Department of the Ministry of Justice initiated an investigation.[16] At the time of finalizing the present report no information on progress in this investigation had been received.[17] In another case, a man crossing the Al-Hamra checkpoint was shot and killed on 2 January 2011. He was about to pass through the checkpoint when a soldier shouted at him in Hebrew and shot him in the leg. The man fell to the ground. When he got up on one leg with his hands up, other soldiers at the checkpoint opened fire, which resulted in his death. He was unarmed. IDF announced three weeks later that an operational investigation had concluded that the soldiers had acted in conformity with rules of engagement.[18]

15. The use of firearms against unarmed persons raises serious concerns with regard to the open-fire regulations and training received by the Israeli security forces. In the West Bank, occupying forces act in a law-enforcement capacity. They are bound by article 6 of the International Covenant on Civil and Political Rights and should act in accordance with the Basic Principles for the Use of Force and Firearms by Law Enforcement Officials. In this context, the use of firearms is authorized in extremely limited circumstances, namely, self-defence or defence of others against imminent threat of death or serious injury and only if less extreme means are insufficient.[19] The fact that, in the above-mentioned cases the victims

[14] OHCHR sent a letter to the Israeli authorities in December 2010 requesting information on this case. As at the finalization of this report, no response had been received.

[15] Israeli Defense Forces, Press Release, "IDF Terminates Military Career of Soldier Involved in Hebron Incident", 19 January 2011. http://dover.idf.il/IDF/English/Press+Releases/2011/01/1901.htm.

[16] http://www.jpost.com/Israel/Article.aspx?id=190096&R=R2http://www.reuters.com/article/idUSLDE69208V20101003.

[17] OHCHR sent a letter to the Israeli authorities in December 2010 requesting information on this case. At the time of finalization of this report, no response had been received.

[18] Israeli Defense Forces, Press Release, Investigation of "Bekaot" Crossing Incidents Concluded, 24 January 2011, http://dover.idf.il/IDF/English/Press+Releases/2011/01/2401.htm. OHCHR sent a letter to the Israeli authorities in January 2011 requesting information on this case. At the time of finalization of the present report, no response had been received.

[19] Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990, principle 9.

were unarmed, and in two cases asleep in their beds, indicates that Israeli security forces need to urgently reassess applicable open-fire regulations and relevant training, with a view to preventing such incidents.

16. Tactics used by IDF in such law enforcement operations are also cause for concern. The practice of covertly breaking into a house during the night to make arrests increases the likelihood of incidents of excessive use of force. Referring to different contexts, the Special Rapporteur on extrajudicial, summary or arbitrary executions qualified night raids as "always dangerous for civilians".[20] Entering a house without warning, in particular during the night, creates a situation whereby soldiers are unable to clearly judge the actions or intentions of the inhabitants. This unnecessarily heightens the likelihood that an action will be misperceived by soldiers. It is noted that IDF has used an approach to such operations that presents fewer risks to the inhabitants of the home, namely surrounding a house, discretely announcing their presence, advising the inhabitants to come out, and detaining the targeted individual.[21]

17. Thorough, prompt, independent and impartial investigations of the use of firearms by law enforcement officials, and the taking of appropriate judicial and disciplinary sanctions when necessary, are essential to ensure the accountability of security forces. While IDF and Israeli police have opened investigations in a few cases, IDF investigations have been limited to so-called "operational debriefings".[22] These types of investigations do not meet international standards and were criticized by the Fact-Finding Mission on the Gaza Conflict, which concluded that operational debriefing is not an appropriate tool to conduct investigations of allegations of serious human rights violations.[23] As for the investigations into the actions of police, the Human Rights Committee has expressed concerns with regard to the independence of the oversight mechanisms.[24]

18. On 6 April 2011, IDF announced that it had implemented a new investigation policy in the West Bank, according to which every case in which "uninvolved" civilians are killed by IDF is to be automatically investigated by the Military Police. Since 2000, cases had been referred to the Military Police only if deemed necessary by a fact-gathering enquiry,[25] which is mainly informed through the "operational debriefings". While this is a positive development, certain situations in which violations of the right to life may occur are excluded, namely, when the civilian killed is alleged by IDF to be "involved" or that the death occurred during an exchange of fire. An automatic investigation by the Military Police has been specifically excluded in cases occurring in Gaza.[26]

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[20] Report of the Special Rapporteur on his mission to Afghanistan, A/HRC/11/2/Add.4, para. 10.

[21] Information gathered by OHCHR.

[22] In para. 20 of its report (A/HRC/12/48), the Mission stated: "The debriefings are reviews of incidents and operations conducted by soldiers from the same unit or line of command together with a superior officer. They are meant to serve operational purposes."

[23] A/HRC/12/48, para. 1819. See also A/HRC/16/24 and A/HRC/15/50.

[24] Human Rights Committee, concluding observations on Israel, CCPR/C/ISR/CO/3, para. 12.

[25] Israeli Defense Forces, Press Release, IDF Military Advocate General Implements New Investigation Policy Regarding Palestinian Casualties from IDF Fire in Judea and Samaria, 6 April 2011, http://dover.idf.il/IDF/English/Press+Releases/2011/04/0602.htm.

[26] Israeli Defense Forces, Press Release, 6 April 2011.

19. Israel has an obligation to investigate all alleged violations of the right to life "promptly, thoroughly and effectively through independent and impartial bodies".[27] Armed conflict and occupation do not release Israel from that duty.[28] According to data collected by an Israeli NGO, approximately 94 per cent of criminal investigations launched by IDF against soldiers suspected of illegal behaviour towards Palestinians are closed without an indictment. The same NGO found that even when a soldier is convicted, sentences are inappropriately lenient.[29]

Excessive use of force in the policing of demonstrations

20. During the reporting period, weekly demonstrations took place in various locations in the West Bank, including East Jerusalem, and occasionally at the Green Line fence in Gaza. The use of excessive force against unarmed demonstrators was regularly reported, with tear gas being intensively used by Israeli security forces and tear gas canisters being fired as projectiles at protesters, resulting in severe injuries. Live ammunition was also used against unarmed protesters.

21. For example, on 15 April 2011, in Bil'in, approximately 500 protesters gathered close to the Wall separating the village from their lands. As a group of about 20 protesters approached the Wall, one of the protesters reportedly heard an Israeli officer order a soldier to fire. The soldier took aim at the victim and fired. The protester was hit with a bullet in the shoulder and another in the foot.[30] In another case, in early June 2011, hundreds of Palestinians from the village Deir Qaddis headed to an agricultural area north of the village to protest against two Israeli bulldozers working on expanding the Israeli Nili settlement. Before arriving at the site, IDF soldiers blocked protestors' access to the area. Clashes erupted between the demonstrators and IDF, who had been joined by Israeli Border Police. With 50 metres of separation between the demonstrators and the security forces, one member of the security forces fired 0.22 rounds[31] at the crowd, wounding two young men. One was hit with two bullets in the chest and pelvis.[32]

22. On 15 May 2011 clashes erupted across the Occupied Palestinian Territory between IDF and Palestinian demonstrators who were commemorating the anniversary of what Palestinians refer to as *Al Nakba* ("the catastrophe"). During the clashes, IDF used live ammunition, rubber-coated bullets, and teargas to disperse demonstrators, resulting in the injury of more than 100 civilians.

23. In Gaza, hundreds of Palestinians gathered at the Beit Hanoun junction on that day and marched towards the Erez crossing in protest against the occupation. IDF

[27] Human Rights Committee, general comment No. 31: "The Nature and Scope of the General Legal Obligation Imposed on States Parties to the Covenant", para. 15.

[28] See the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, E/CN.4/2006/53, para. 36. The Human Rights Committee, in its general comment No. 29: States of Emergency (article 4), concluded that, in order to ensure the protection of rights which are non-derogable (which include the right to life), they must be secured by procedural safeguards (see CCPR/C/21/Rev.1/Add.11, para. 15).

[29] Yesh Din, http://www.yesh-din.org/cat.asp?catid=2.

[30] OHCHR monitored this case on 11 May 2011.

[31] In a letter to the NGO B'Tselem, the IDF Judge Advocate General confirmed that IDF does not classify this type of ammunition as means for dispersing demonstrations. http://www.btselem.org/download/20090702_jag_response_to_letter_on_use_of_ruger_rifles_against_demonstrators_eng.pdf.

[32] OHCHR monitored this case.

fired sound bombs and warning shots to the east and west of Salah Ed-Din Street to disperse the protesters. Demonstrators continued marching toward Erez, reaching 75 metres from the wall erected along this section of the Green Line. IDF stationed at the crossing then fired live ammunition, rubber-coated bullets, and tear gas at the crowd. Live fire appears to have been aimed at the lower limbs of the protesters. The IDF actions injured 125 demonstrators, including 32 minors, 5 women, and 3 journalists. Out of these, 13 suffered serious wounds caused by gunshots and were treated at Gaza hospitals. A further 77 suffered light wounds caused by live ammunition and fragment of bullets, and were also admitted to hospitals. The remaining demonstrators suffered light injuries caused by rubber-coated bullets and tear gas.[33] In examining the IDF response to the demonstration, the need to use firearms in self-defence seems unclear. This is particularly so because IDF soldiers at the Erez crossing are positioned either behind fortified concrete walls that are several metres high or inside fortified watch towers, making it difficult for anybody, especially unarmed individuals, to threaten their lives or that of others, which is the principal criterion authorizing the use of live ammunition.

24. The use of firearms is not an appropriate means of riot control against unarmed demonstrators, and their use in this context is not in conformity with international standards on the use of firearms by law enforcement officials. The use of excessive force against demonstrators has a negative impact on the rights of Palestinians to freedom of expression and freedom of assembly, rights which are guaranteed by the International Covenant on Civil and Political Rights. In the case of Gaza, hostilities between armed groups and IDF often erupt with rockets and mortars regularly fired against IDF positions along the Green Line fence, rendering law enforcement operations, such as controlling a demonstration, more complex. Nevertheless, this does not change Israel's obligations with respect to demonstrators. Even in armed-conflict situations, the use of live ammunition against civilians violates the prohibition against targeting civilians unless they are directly participating in hostilities. Participation in a demonstration or presence in a restricted area does not entail direct participation in hostilities. At the time of the demonstration on 15 May 2011, no hostilities between armed groups and IDF were taking place in the area. It is recalled that Israel has the obligation to conduct prompt, thorough, effective, independent and impartial investigations into all allegations of violations of the rights contained in the International Covenant on Civil and Political Rights that are alleged to have occurred during any demonstration.

Enforcement of the access-restricted areas

25. Israel continued to impose restrictions on Palestinians accessing areas located within Gaza up to 1,500 metres from the Green Line. Palestinians entering or getting close to these areas are regularly subjected to warning shots, and, in some cases, are directly targeted. According to United Nations figures, an estimated 23 civilians were killed in incidents in the access-restricted area on land during the reporting period.[34] OHCHR documented three of those incidents, which resulted in the killing of three Palestinian civilians. In two of the cases, OHCHR found no evidence to indicate that the victims were directly participating in hostilities or constituted any threat to the life of the soldiers stationed at the Green Line fence. On

[33] OHCHR monitored this case.

[34] Figures obtained from the Office for the Coordination of Humanitarian Affairs, 27 June 2011.

the contrary, the information gathered led to the conclusion that they had been targeted solely because of their presence within 1,500 metres from the fence.

26. For instance, on 10 January 2011, IDF soldiers stationed at the northern Green Line killed a 64-year-old farmer from Jabalia, with three bullets to his chest. The incident took place while the man was on his farm located around 450 metres from the fence. According to information collected by OHCHR, the situation at the time of the incident was calm, with no rocket or mortar fire, or shooting taking place.[35] Although IDF did not comment on this particular incident, they noted that rocket and mortar shells firing at Israel had been taking place since the beginning of 2011.[36]

27. During the reporting period, OHCHR documented 26 cases in which Palestinians were shot and injured while collecting rubble and scrap metal within a distance of between 200 and 1,000 metres from the fence. One such case occurred on 4 December 2010, when a 25-year-old Palestinian was shot in his right thigh by IDF fire while he was collecting rubble within 500 to 700 metres from the northern Green Line fence in Beit Lahia. A medical report indicates that the bullet entered and exited the right thigh.[37] The victim, interviewed by OHCHR, reported that no mortar shells or rockets were being fired at the time of the incident.[38] Another example is that of 26 February 2011, when IDF stationed at the northern Green Line fence shot and injured a 37-year-old Palestinian man while he was collecting rubble and scrap metal around 450 metres from the fence, also in Beit Lahia.[39] According to information received by OHCHR, no rocket or mortar shells had been fired from Beit Lahia that day.[40]

28. The Israeli navy continued to restrict the access of Palestinian fisherman to three nautical miles from the coast of the Occupied Palestinian Territory. This policy, enforced through the use of live ammunition, severely limited access to fishing grounds, and in some cases caused the death of civilians. On 24 September 2010, the Israeli navy shot at a Palestinian boat fishing 2,000 metres from the shore. According to information collected by OHCHR, three fishermen were on the boat when an Israeli vessel shot at them from a distance of 150 metres, injuring one fisherman. The Israeli navy allegedly neglected to help the victim, in particular, by offering medical assistance. The victim died of his wounds while being taken back to shore by other fishermen.[41]

29. Palestinian fishermen risk detention and confiscation of their boats by the Israeli naval forces. OHCHR documented three cases in which a total of 13 Palestinian fishermen were detained and their boats confiscated. In each case, the

[35] OHCHR monitored the case, and on 26 January 2011, visited the site of incident.

[36] Israeli sources mentioned over 20 rockets being fired in the first two weeks of 2011. See Israeli Defense Forces, "Islamic Jihad Operative Planning Massive Terror Attack in Israel Targeted in a Joint IDF-ISA Operation", available at http://dover.idf.il/IDF/English/Press+Releases/2011/01/1101.htm.

[37] OHCHR monitored the case.

[38] Ibid.

[39] Ibid.

[40] Department of Safety and Security communication dated 7 March 2011.

[41] OHCHR monitored the case. A request for information on this case was sent by OHCHR to the Government of Israel in December 2010. At the time of finalization of this report, no response had been received.

fishermen were within the three-nautical-mile limit, and, according to witnesses, posed no threat to the Israeli naval forces.

30. On 27 December 2010 a Palestinian boat with six fishermen, fishing within the three-nautical-mile limit, was intercepted by the Israeli naval forces. According to information collected by OHCHR, 30 to 40 masked Israeli soldiers in two Israeli boats intercepted the Palestinian boat and arrested the 6 fishermen on board. Although they were released the following day, their boat was confiscated and, at the date of finalization of the present report, was still being held. At least 100 persons (including 20 fishermen and their dependants) rely on this boat for their livelihood.[42]

31. In another case, on 3 January 2011, the Israeli navy intercepted a Palestinian boat within two nautical miles from the shore and arrested four fishermen. They were released on the same day, but their boat was confiscated by the Israeli naval forces and, as at the date of finalization of the present report, had not been returned.[43]

32. In a similar case, on 19 February 2011, the Israeli naval forces intercepted a boat less than three nautical miles from the Gaza shore and arrested three fishermen. A few hours later the men were released, but their boat was confiscated by the Israeli navy. The livelihoods of around 45 people (including the fishermen and their dependants) rely on that particular boat.[44]

33. The methods used to enforce the access-restricted areas imposed by Israel are not in conformity with international law; they are in violation of the rules on the use of force by law enforcement officials and incidents in which fishermen are killed constitute violations of the right to life. In the context of hostilities these enforcement methods violate the principle of distinction, which establishes that civilians are not to be targeted. Other enforcement methods are available, as demonstrated by the numerous detentions by Israel of Palestinian fishermen at sea. Furthermore, the confiscation of fishing boats constitutes a violation of article 46 of the Hague Regulations.[45]

B. Displacement and practices affecting the demographic composition of the Occupied Palestinian Territory

Residency rights in East Jerusalem

34. In 1967 Israel occupied the West Bank, including East Jerusalem, and purported to unilaterally change the municipal boundaries of Jerusalem, including by annexing East Jerusalem, in contravention of international law.[46] Palestinians who were at the time residing and physically present in East Jerusalem were designated permanent residents. "East Jerusalemites", as they are known, are issued identity documents that are different from those of Palestinians living in other areas of the West Bank, and are afforded permanent residency status in accordance with

[42] OHCHR investigated the case and interviewed the six fishermen on 13 March 2011.

[43] OHCHR monitored the case.

[44] OHCHR monitored the case.

[45] Regulations concerning the Laws and Customs of War on Land (Hague Regulations), annex to the 1907 Hague Convention respecting the Laws and Customs of War on Land.

[46] Security Council resolution 478 (1980).

the Entry into Israel Law.[47] This is the law that applies to foreign citizens who wish to live in Israel but do not immigrate to the country under the Law of Return. Israel therefore treats Palestinian residents of East Jerusalem as immigrants in the territory it occupies.[48]

35. During the reporting period, residents of East Jerusalem, whose families have been residents in Jerusalem for generations, continued to face uncertainty with respect to their status. Revocation of the residency status of East Jerusalemites has occurred since 1967. Palestinian residents of East Jerusalem can and do lose their permanent residency status if they reside outside Israel or East Jerusalem for a period of seven years, or if they obtain permanent residency or citizenship in another country.[49] The same restrictions do not apply to Israeli citizens, including those who live in settlements in East Jerusalem.

36. Residency status was also revoked in the case of four East Jerusalem residents on grounds of their lack of loyalty to the State of Israel, following their election in 2006 to the Palestinian Legislative Council. The basis for this revocation was that membership in the parliament of a hostile entity was incompatible with loyalty to Israel. In 2010 their identity cards were confiscated and they were told that they had 30 days to leave Jerusalem.[50] On 8 December 2010, Muhammad Abu Teir was forcibly transferred from East Jerusalem to another part of the West Bank by Israeli security forces.[51] The three other men sought refuge at the offices of the International Committee of the Red Cross in July 2010, where they remained as at the finalization of this report.

37. The requirement of "loyalty to the State of Israel," for East Jerusalem residents to maintain residency is analogous to compelling the residents of the occupied territory to swear "allegiance to the hostile power" which is prohibited by the Hague Regulations.[52] This requirement could potentially pose a risk to many Palestinian residents of East Jerusalem to revocation of their permanent residency status, including through the exercise of their right to freedom of expression and opinion and the prohibition of discrimination on political grounds, for example, when contesting Israeli policies or working for organizations deemed to be disloyal to Israel.[53] Regardless of the motive for revoking residency, article 49 of the Fourth Geneva Convention prohibits the forcible transfer of civilians of an occupied territory, except when necessary to ensure the security of the civilians involved.

38. In addition, it continues to be difficult to obtain permanent residency status permits, especially in cases of family unification, when East Jerusalemites are married to Palestinians from other parts of the West Bank or Gaza and wish to live

[47] Entry into Israel Law, 5712-1952.

[48] This policy is based on the *Mubarak Awad* case of the High Court of Justice, which decided that the status of Palestinian residents should be regulated in accordance with the Entry in Israel Law (5712-1952), which is immigration legislation. See, for example, Hamoked and B'Tselem, "The quiet deportation", April 1997, and "The quiet deportation continues", September 1998, p. 7, and *Mubarak Awad v Yitzhak Shamir et al.*, HCJ 282/88.

[49] Entry into Israel Regulations, 5734-1974, regulation 11(a).

[50] Between 2006 and 2010, the four men had been imprisoned for varying periods, on charges of affiliation with Hamas.

[51] United Nations Special Coordinator for the Middle East Peace Process, briefing to the Security Council, 14 December 2010.

[52] Article 45.

[53] A/HRC/16/71.

together in East Jerusalem. Since 2003, a freeze on family reunification has obstructed "mixed residency" marriages. The registration of the children of such couples as residents of East Jerusalem remains a long and arduous process.[54]

House demolitions and forced evictions

39. Demolition of buildings, including homes, and forced evictions continued to take place, in particular in Area C and East Jerusalem. During the reporting period, the Israeli authorities demolished a total of 504 structures in East Jerusalem and Area C. This comprised 149 residences in Area C, thereby displacing 820 people, including 374 children, and another 23 residences in East Jerusalem, which displaced 117 people, including 64 children.[55]

40. The Office for the Coordination of Humanitarian Affairs reported a sharp rise in the number of demolitions in the first half of 2011, which reportedly resulted in more Palestinians being already forcibly displaced in six months in 2011 than in all of 2010.[56]

41. For example, on 20 June 2011, IDF demolished six residential tents and a sanitary facility in southern Hebron, displacing eight families (68 people, including 45 children). The demolition was carried out following an order citing a lack of permits. A day later, in Al-Hadidiya, IDF demolished 29 structures, thereby displacing 27 people, including 11 children, from 6 households. Among the demolished structures were 7 residential tents, 18 animal barracks and pens, and 4 kitchens. Al-Hadidiya had already seen the demolition, on 10 June 2011, of one residential tent and three animal shelters, which affected 10 people. In that instance, several families had been prevented from removing their possessions, which were thus buried under the rubble.[57]

42. In the vast majority of cases houses are demolished owing to a lack of permits or during evacuations of Palestinians living in "closed military areas". Under human rights law, Israel has the obligation to ensure the right to adequate housing,[58] which includes security of tenure. According to the Israeli-Palestinian Interim Agreement, planning and zoning powers and responsibilities in Area C were to be gradually transferred to the Palestinian Authority.[59] Yet they are still retained by Israel, which should exercise its powers with due regard to human rights.[60] Israel as the occupying Power has failed to fulfil this obligation by not planning for housing and by not issuing a sufficient number of building permits over the past decades to respond to the needs of the Palestinian population (only 1 per cent of Area C[61] and 13 per cent of East Jerusalem[62] have plans that allow housing).

[54] Information provided by the Office for the Coordination of Humanitarian Affairs.

[55] Ibid.

[56] Office for the Coordination of Humanitarian Affairs, *Humanitarian Monitor*, June 2011, http://www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2011_07_20_english.pdf.

[57] Ibid.

[58] International Covenant on Economic, Social and Cultural Rights, art. 11.

[59] The Israeli-Palestinian Interim Agreement, 28 September 1995, annex III, art. 27.

[60] Ibid., art. XIX.

[61] Office for the Coordination of Humanitarian Affairs, *Humanitarian Monitor*, June 2011.

[62] Ibid., October 2010.

43. Demolition of homes in the occupied territory is prohibited under article 53 of the Fourth Geneva Convention, except when rendered absolutely necessary by military operations. No military operations have been ongoing in the West Bank for years. Demolition of houses and forced evictions also violate the right to adequate housing, as provided for in article 11 of the International Covenant on Economic, Social and Cultural Rights.

Bedouins

44. Bedouin refugees in the West Bank are struggling under the Israeli occupation. Their livelihood and food security, in particular in Area C, have been negatively affected by the expansion of Israeli settlements and "closed" areas (e.g. military zones, natural reserves). Over the last 30 years the Bedouin community has experienced gradual, systematic dispossession of its land. Today Bedouins face constant attempts to displace them from their homes and increasingly restricted access to natural resources.[63] In Wadi Abu Hindi and Al Matar, 80 Bedouin families living close to the Maale Adumim settlement are under imminent threat of forced displacement. Every Bedouin structure in those communities has a stop-work order from the Israeli Civil Administration (ICA), and a confiscation order has been reissued, indicating that the land they have inhabited for 60 years will be used for construction of the Wall. Recent ICA proposals to re-locate Bedouin communities from Area C into "purpose-built" villages are viewed with caution by the Bedouin communities, many of which have already been displaced on multiple occasions by the Israeli authorities.

C. Firing of rockets and mortars against Israeli civilian areas

45. Palestinian armed groups continued firing rockets and mortar shells at Israel. A total of 325 rockets, including homemade rockets, Grad rockets, and rocket-propelled grenades, and 389 mortar shells were fired during the reporting period.[64] While it was confirmed that 46 of the projectiles were directed at military objectives, the indiscriminate nature of the majority of them makes it impossible to determine the intended targets of the remaining ones. A significant number of the rockets and mortar shells landed in areas of Israel inhabited by civilians.

[63] UNRWA, *Bedouin Fact Sheet 2010*. 70 per cent of Area C is now restricted to Palestinians due to settlements, the barrier and its buffer zone, closed military areas and nature reserves. Due to the resulting restricted access to natural resources, the Bedouins' traditional pastoralist livelihood has reached a point of collapse. The ensuing poverty, coupled with movement restrictions, is severely hindering their access to basic services, including livestock markets. Food and water insecurity and spiralling debt cycles are prevalent, while alternative income-generating skills have not yet been developed, due to lack of access to both secondary and higher education which, in turn, negatively affects the Area C Bedouins' ability to compete in the Palestinian job market.

[64] According to Department of Safety and Security sources, communications dated 26 June and 9 July 2011.

46. On 7 April 2011, a guided anti-tank missile was fired from Gaza and hit a school bus driving near Sha'ar Hanegev Regional Council, southern Israel, leaving two Israelis wounded. A 16-year-old subsequently died as a result of injuries suffered from this attack.[65] Hamas claimed responsibility for the attack, stating that it had been carried out in revenge for the killing of three of its militant leaders on 2 April.[66] It stressed that the road the bus was travelling on was often used by Israeli military vehicles.[67] On 21 December 2010 a rocket fired from Gaza exploded near a kindergarten in Kibbutz Zikim while children were arriving,[68] injuring a 14-year-old girl.[69]

47. The firing of these rockets is contrary to the rules of international humanitarian law prohibiting indiscriminate attacks, the targeting of civilians, the use of inherently indiscriminate weapons and acts aimed at spreading terror in the civilian population.[70] In addition, it has been alleged by the Government of Israeli that such rockets and mortars are often fired from densely populated areas. Should this be the case, it would also contravene customary international humanitarian law.[71]

D. Restrictions on the freedom of movement and goods

Continued construction of the Wall

48. In 2004 the International Court of Justice, upon the request of the General Assembly, issued its advisory opinion *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, in which it concluded that the construction of the Wall in the Occupied Palestinian Territory and its associated regime contravene international law. It also concluded that Israel is obligated to cease construction of the Wall inside the Occupied Palestinian Territory, to dismantle the existing portions inside the Occupied Palestinian Territory, and to make reparations for all damage caused by the construction of the Wall.[72] Seven years later, Israel has yet to comply with the advisory opinion.

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[65] http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Hamas+war+against+Israel/Two-injured-in-anti-tank-missile-attack-on-school-bus-7-Apr-2011.htm.

[66] CNN, 7 April 2011. Hamas claims responsibility for missile strike on bus that wounded boy, http://edition.cnn.com/2011/WORLD/meast/04/07/israel.gaza.violence/index.html. On 2 April 2011, Israeli occupation forces targeted three members of Izz El Din El Qassam Brigades in Dier El Balah, central Gaza Strip, leaving them dead. For this incident see Palestinian Center for Human Rights, Weekly report on Israeli Human Rights Violations in the Occupied Palestinian Territory (31 March-6 April 2011), http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=7369:weekly-report-on-israeli-human-rights-violations-in-the-occupied-palestinian-territory-31-march-06-april-2011&catid=84:weekly-2009&Itemid=183.

[67] Reuters, 9 April 2011. Hamas said on Saturday that its militants had not intended to target Israeli schoolchildren, http://www.reuters.com/article/2011/04/09/palestinians-israel-hamas-idUSLDE73807X20110409.

[68] http://dover.idf.il/IDF/English/Press+Releases/10/12/2501.htm.

[69] *Ynet*, 21 December 2011. Qassam explodes near kindergarten, http://www.ynetnews.com/articles/0,7340,L-4002195,00.html.

[70] These rules are identified in a Study on Customary international humanitarian law, International Committee of the Red Cross, rules 1, 2, 11 and 71.

[71] Ibid., rule 23.

[72] Advisory opinion of 9 July 2004, paras 142 and 150-153.

49. During the reporting period, construction of the barrier was minimal. However, the Wall continued to have a substantial negative impact on the human rights of Palestinians. As of July 2011 the Wall's total length was 708 kilometres, more than twice the length of the 1949 Armistice Line (Green Line) between the West Bank and Israel. Approximately 61.8 per cent of the Wall is complete; a further 8.2 per cent is under construction; and 30 per cent is planned but not yet constructed. If completed according to current plans, approximately 85 per cent of the Wall's route will be inside the West Bank rather than along the Green Line.[73]

50. Notably, on 21 June 2011, the Israeli authorities began dismantling a section of the Wall alongside Bil'in village. This followed a decision by the Israeli High Court, issued in February 2007, which ordered the re-routing of this section, owing to the disproportionate harm it caused to Palestinian farmers.[74] As a result of the re-routing, the village's residents will regain unrestricted access to around 1,020 dunums[75] of their agricultural land. However, as the new route is located some 3 kilometres east of the Green Line, it will leave another 1,280 dunums of Palestinian land isolated by the Wall.

51. The Israeli authorities also recently began re-routing a section of the Wall next to Khirbet Jubara village, following an Israeli court decision from 2007. When the old section is fully dismantled, over 300 residents of the village will be released from the "seam zone", the closed area located on the western side of the Wall between it and the Green Line. According to the village council, however, the new route will still isolate around 600 dunums of the village's agricultural land, planted with olive trees, which will remain behind the Wall. It is noted that the new Wall sections are still located in the Occupied Palestinian Territory in contravention of international law.

The blockade in Gaza

52. In June 2011, the blockade imposed by Israel entered its fifth year. The blockade continues to impede the rights to freedom of movement, work, health and adequate housing. The blockade also continues to severely restrict economic development in Gaza.

53. Movement through the Erez crossing remained restricted for almost all Palestinians residing in Gaza, apart from exceptional cases, which include medical emergencies and local staff of international organizations.[76]

54. The adjustment of regulations governing imports into Gaza, implemented by Israel since June 2010, has resulted in an increase in the availability of food stuffs and consumer goods during the reporting period. Yet this has not brought the necessary fundamental change in the level of Gaza's imports. As at the finalization

[73] Office for the Coordination of Humanitarian Affairs, Special Focus Barrier Update, "Seven years after the advisory opinion of the International Court of Justice on the Wall: the impact of the Barrier in the Jerusalem area" (July 2011).

[74] *Ahmed Issa Abdallah Yassin, Bil'in Village Council Chairman v. The Government of Israel et al*, HCJ 8414/05.

[75] 1 dunum is equivalent to 1,000 square metres.

[76] Office for the Coordination of Humanitarian Affairs, Humanitarian Situation in the Gaza Strip, July 2011, http://www.ochaopt.org/documents/ocha_opt_Gaza_Fact_Sheet_July_2011.pdf.

of this report, imports fell well short of Gaza's needs, representing only 45 per cent of the pre-2007 levels.[77]

55. Entry of building materials such as steel, aggregate and cement, continue to be restricted to a limited number of humanitarian and commercial projects approved by the Government of Israel. Entry of the same materials for private use remained officially banned.[78] Lack of access to construction materials has obstructed the reconstruction and reparation of houses damaged and destroyed during Operation Cast Lead.

56. At the same time, dozens of damaged schools and classrooms remained unrepaired as a result of the continued restrictions on the entry of building materials. This has forced an estimated 85 per cent of schools in Gaza to run on double or triple shifts.[79]

57. The blockade has continued to severely restrict Gaza's exports, notwithstanding the Israeli decision of 8 December 2010 to adjust export restrictions. As of the finalization of this report, Gaza exports represented only 5 per cent of the pre-2007 level.[80]

E. Arrests and detention

58. According to NGO sources, in June 2011, there were approximately 5,500 Palestinians from the Occupied Palestinian Territory in Israeli detention. That number includes 37 women and 211 children. The vast majority are held in prisons and detention centres located outside the occupied territory, in violation of international humanitarian law. The Fourth Geneva Convention provides that residents of an occupied territory are to be detained and serve sentences within the occupied territory.[81] In addition to contravening international law, holding Palestinian detainees outside the occupied territories creates problems for family members wishing to visit them. Entry permits to Israel are required and visits must be organized by the International Committee of the Red Cross. However, because of the blockade of Gaza, the approximately 650 prisoners and detainees from Gaza cannot receive family visits.

59. During the reporting period, administrative detentions by Israeli authorities continued. Of the total number of Palestinian detainees, approximately 220 were under administrative detention. Those detentions are authorized by military commanders rather than the judiciary and the detainees are often not informed of the charges against them. While they may appeal the detention order before a military court, this process is problematic, as the detainee and his or her lawyer do not have access to the information on which the detention is based. Administrative detentions raise serious concern with regard to Israel's obligations set out in articles 9 and

[77] Ibid.

[78] Norwegian Refugee Council, Shelter Sector: Gaza. Two Years After Operation Cast Lead. Fact Sheet 3, http://www.sheltergaza.org:8081/ussd/fr/Gaza%20Shelter%20Fact%20Sheet%203.pdf.

[79] Office for the Coordination of Humanitarian Affairs, Humanitarian Situation in the Gaza Strip, July 2011, http://www.ochaopt.org/documents/ocha_opt_Gaza_Fact_Sheet_July_2011.pdf.

[80] World Food Programme, Gaza: cased or un-cased: changes in Gaza market and household conditions following Israel's 20 June 2010 New Access Regime, http://www.wfppal.org/Foodsec/Eased%20or%20un-cased,%20WFP%20report%20June2011.pdf.

[81] Article 76, Geneva Convention IV of 1949.

14 of the International Covenant on Civil and Political Rights. While noting that Israel has formally derogated from article 9, the Human Rights Committee has recalled that measures which derogate from the Covenant must be temporary and limited to the extent strictly required. The Committee has expressed its concern at the frequent and extensive use by Israel of administrative detention, which infringes on the right to a fair trial.[82]

60. The arrest and detention of Palestinian children continued throughout the reporting period. As at June 2011, there were 211 children in prison and pre-trial detention. However those numbers do not reflect the much larger number of children arrested, interrogated and detained for short periods. For example, an Israeli NGO reported that, from 22 September 2010 to 31 October 2010, 32 children were arrested in a single neighbourhood of East Jerusalem.[83] The methods used to arrest children are problematic. There have been numerous reports of regular use of night-time raids to search for and detain children in the West Bank, including in East Jerusalem. Israeli police or IDF soldiers go to the houses in the middle of the night, wake up the targeted children and take them away for questioning.[84]

III. Recommendations

61. **The Government of Israel should take all necessary measures to prevent further incidents of excessive use of force. This should include a review of regulations on the use of live ammunition in operations carried out by all Israeli security forces, including the Israeli Defense Forces (IDF), to ensure that these regulations are in line with Israel's international legal obligations.**

62. **The Government of Israel should review methods used by IDF to enforce access restrictions on land and sea in Gaza. These methods should be consistent with Israel's international legal obligations, and should never include the use of live ammunition against civilians.**

63. **The Government of Israel should adopt measures that effectively ensure that any attack by IDF respects the principles of conduct of hostilities, namely distinction, proportionality and precautions. This should include having commanders in the field carefully evaluate the timing of attacks and the concrete and direct military advantage expected to be gained from responding immediately to the launch of a rocket or mortars, when appropriate means are not available which would to mitigate the risk to civilians.**

64. **The Government of Israel must ensure the accountability of members of its security forces, in particular by conducting investigations that meet international standards of promptness, independence, impartiality, and thoroughness into all credible allegations of violations.**

65. **Palestinian armed groups must comply with international humanitarian law and immediately cease the firing of indiscriminate rockets and mortars. Palestinian armed groups should seek to protect the civilian population of**

[82] Human Rights Committee, Concluding observations on Israel, CCPR/C/ISR/CO/3, para. 7.

[83] B'Tselem, *Caution Children Ahead: The Illegal Behavior of the Police towards Minors in Silwan Suspected of Stone Throwing*, December 2010.

[84] See, for example, Defence for Children International, Palestine Section, The administration of occupation http://www.dci-pal.org/english/display.cfm?DocId=1802&CategoryId=1.

Gaza, in particular by abstaining from locating military objectives in densely populated areas.

66. **The Government of Israel must end its policies resulting in the forcible transfer of civilians in the Occupied Palestinian Territory. In this connection, Israel should desist from revoking the residency status of East Jerusalemites.**

67. **The Government of Israel's policies and practices that lead to forced displacement of Bedouin refugees from Area C, including demolitions of homes and livelihood structures, should cease. Any attempts to relocate Bedouin communities into "purpose-built" villages should only be carried out with the free, prior and informed consent of the Bedouin. Further, Israel should respect the rights of Bedouin communities to access natural resources and essential services.**

68. **The Government of Israel should immediately cease all demolitions of houses and other structures in the Occupied Palestinian Territory. At the same time, Israel should modify applicable planning and zoning rules, in order to ensure adequate housing for all Palestinian residents of Area C and East Jerusalem.**

69. **The Government of Israel should fully comply with the advisory opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, in particular by immediately halting the construction of the barrier and dismantling or rerouting the constructed section to the Green Line.**

70. **The Government of Israel should fully lift the blockade of Gaza, with due regard for legitimate security concerns. The lifting of the blockade should include permitting the exportation of goods, ensuring that all necessary reconstruction materials can be delivered, and facilitating the movement of people to and from Gaza.**

71. **Taking into account the observations of the Human Rights Committee, the Government of Israel should conduct an independent and thorough review into its policy of administrative detention, with a view to terminating the policy and removing its derogation regarding article 9 of the International Covenant on Civil and Political Rights.**

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Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of the coordination of emergency humanitarian assistance of the United Nations

Central Emergency Response Fund

Report of the Secretary-General

Summary

The present report describes the activities of the Central Emergency Response Fund from 1 July 2010 to 30 June 2011. The Fund continues to demonstrate its effectiveness as a tool for collective emergency response. During the period, the Emergency Relief Coordinator allocated $342 million from the Fund to support life-saving activities in 43 countries and territories. The five-year evaluation of the Fund was finalized during this reporting period, providing invaluable independent insight into the Fund's strengths and weaknesses. The evaluation is largely positive in its assessment of the Fund but also identifies areas for improvement. A management response plan has been developed by the Central Emergency Response Fund secretariat, which provides a road map for moving forward.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 65/133, in which the Assembly requested that the Secretary-General submit a detailed report on the use of the Central Emergency Response Fund. The report covers activities from 1 July 2010 to 30 June 2011.

II. Overview of the Central Emergency Response Fund

A. Funding commitments[1]

2. During the reporting period the Emergency Relief Coordinator approved grants totalling $342 million. Grants were allocated to programmes, funds and specialized agencies of the United Nations system, as well as to the International Organization for Migration (IOM) (referred to collectively as "agencies" in the present report) in 43 countries and territories (see table 1). Grants made during this reporting period included $215.6 million made available from the Fund's rapid response window and $126.5 million from the underfunded emergencies window. The balance of the Fund's grant component as at 30 June 2011 was $359 million. Interest earned on the grant component during the reporting period amounted to $3.6 million. Grants refunded during the period amounted to $17.6 million, which includes funds disbursed since 2006. Total allocations made by the Fund since 2006 have now exceeded $2 billion.

Table 1
Central Emergency Response Fund allocations from 1 July 2010 to 30 June 2011

	Rapid response window	*Underfunded window*	*Total*
Amount approved	$215.6 million	$126.5 million	$342 million
Number of recipient countries/territories[a]	33	20	43
Number of projects funded	255	196	451
Average project amount	$845 451	$645 270	$758 455

[a] Certain countries/territories received allocations from both windows; they have not been counted twice under the total.

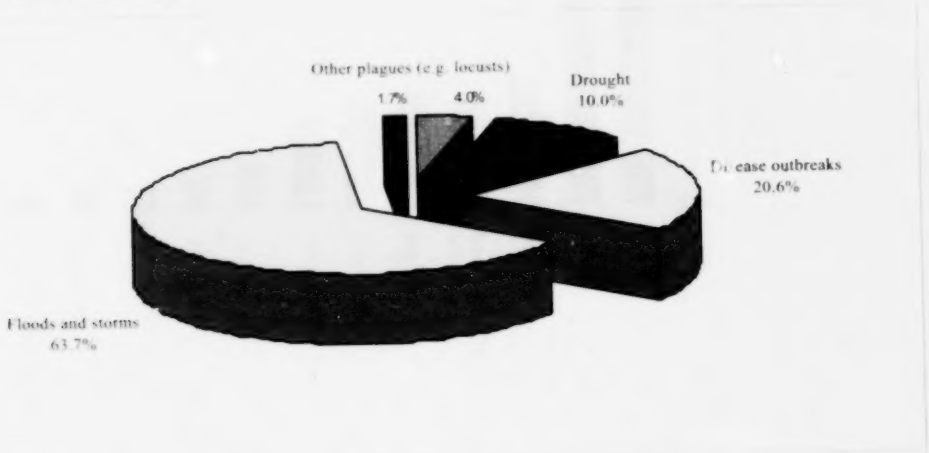
3. Funding for conflict-related emergencies accounted for $194 million (57 per cent of total Central Emergency Response Fund funding) of the Fund's allocations. Conflict-related funding was provided primarily for emergencies in Africa (72 per cent of conflict-related funding).

4. A total of $120 million (35 per cent of total funding) was made available from the Fund for natural disaster-related emergencies (see fig. I), which took place primarily in Asia and the Caucasus (48 per cent of natural disaster-related funding).

[1] Financial figures reflect funds approved by the Emergency Relief Coordinator as at 30 June 2011 and do not reflect actual United Nations certified financial values.

followed by Africa (36 per cent). Floods and storms account for nearly two thirds (64 per cent) of the natural disaster-related funding provided by the Central Emergency Response Fund during the reporting period. Allocations made in July 2011 in response to the drought in the Horn of Africa are not included in the present reporting period.

Figure I
Central Emergency Response Fund allocations by type of natural disaster (1 July 2010-30 June 2011)

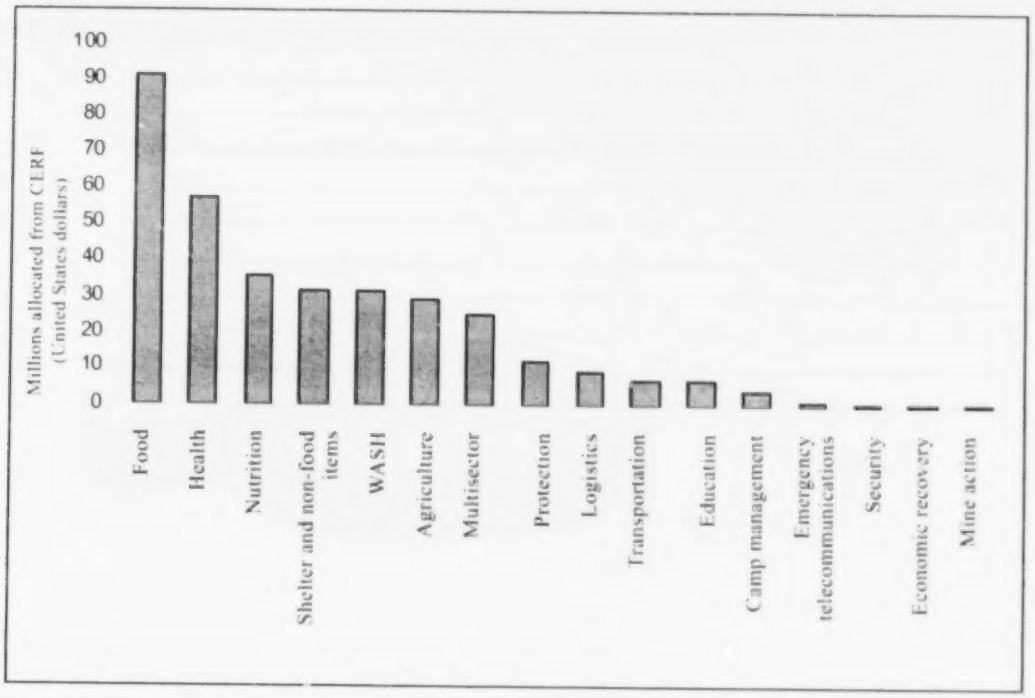


5. Geographically, the resources of the Fund continued to focus primarily on Africa (59 per cent of total funding) and Asia and the Caucasus (28 per cent). The Middle East (7 per cent) and the Caribbean and Latin America (6 per cent) received far less funding during the reporting period.

6. As has been the case during every year of the Fund's operation, funding was provided mostly for emergency food interventions (27 per cent of total funding). Major funding was also provided for health (17 per cent), nutrition (10 per cent), shelter and non-food items (9 per cent), and water and sanitation (9 per cent) (see fig. II).

Figure II

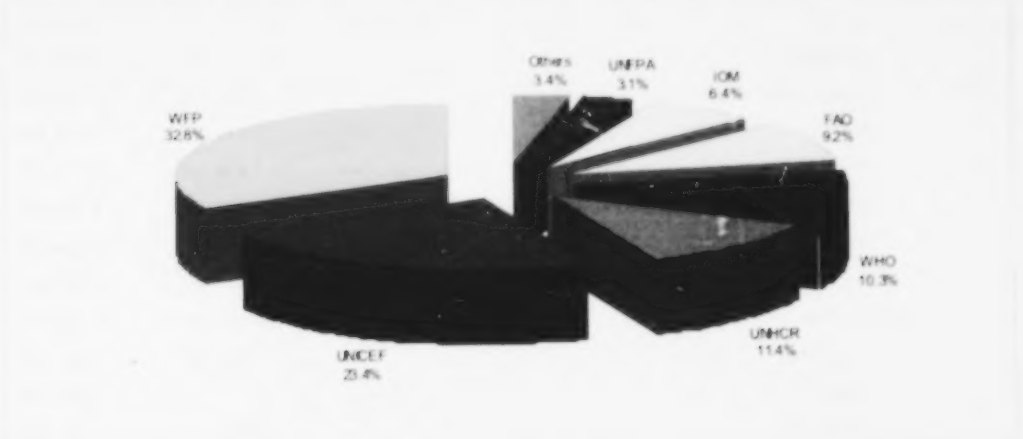
Central Emergency Response Fund allocations by sector (1 July 2010-30 June 2011)



Abbreviations: CERF — Central Emergency Response Fund; WASH — water, sanitation and hygiene.

7. A range of agencies involved with emergency response received support from the Fund during the present reporting period, including the World Food Programme (WFP) ($112 million; 33 per cent of total Central Emergency Response Fund funding), the United Nations Children's Fund (UNICEF) ($80 million; 23 per cent) and the Office of the United Nations High Commissioner for Refugees (UNHCR) ($39 million; 11 per cent) (see fig. III).

Figure III
Central Emergency Response Fund allocations by agency (1 July 2010-30 June 2011)



Abbreviations: WFP — World Food Programme; UNICEF — United Nations Children's Fund; UNHCR — Office of the United Nations High Commissioner for Refugees; WHO — World Health Organization; FAO — Food and Agriculture Organization of the United Nations; UNFPA — United Nations Population Fund; and IOM — International Organization for Migration.

8. The Fund made allocations totalling $126.5 million to 20 United Nations country teams through two allocations from the Fund's underfunded emergencies window during the present reporting period (see table 2). During the second underfunded emergencies round of 2010, $42.6 million was allocated to nine United Nations country teams. A total of 84 projects involving 12 agencies were approved. A further $83.9 million was allocated to support 15 United Nations country teams during the first underfunded emergencies round of 2011. During that round 112 projects involving 11 agencies were approved.

Table 2
Central Emergency Response Fund underfunded emergencies window allocations from 1 July 2010 to 30 June 2011

Country or area	*2010 Second round*	*2011 First round*	*Total*
Burundi	—	3 999 812	3 999 812
Central African Republic	2 997 013	4 999 120	7 996 133
Chad	8 001 389	8 039 204	16 040 593
Colombia	—	2 939 401	2 939 401
Congo	2 883 496	—	2 883 496
Democratic People's Republic of Korea	5 449 985	4 999 783	10 449 768
Democratic Republic of the Congo	8 113 082	—	8 113 082
Djibouti	2 999 757	2 998 322	5 998 079

Country or area	2010 Second round	2011 First round	Total
Eritrea	2 976 856		2 976 856
Ethiopia		10 998 225	10 998 225
Iran (Islamic Republic of)		2 992 466	2 992 466
Kenya		5 993 848	5 993 848
Madagascar		3 994 126	3 994 126
Myanmar		2 993 060	2 993 060
Nepal	2 000 031		2 000 031
Occupied Palestinian Territory		3 972 686	3 972 686
Somalia		14 989 087	14 989 087
Sri Lanka		4 980 047	4 980 047
Yemen	7 166 658		7 166 658
Zimbabwe		4 995 491	4 995 491
Total	**42 588 267**	**83 884 678**	**126 472 945**

Note: A hyphen (-) indicates that no allocation was made.

9. The Fund's loan element maintains a reserve of $50 million to provide rapid access to funding for agencies while they are waiting for donor pledges to be disbursed. Loans must be reimbursed within one year of being made. The balance of the Fund's loan component as at 30 June 2011 was $76.5 million. Interest earned on the loan component during the reporting period amounted to $1.3 million.

10. A single loan of $9.9 million was disbursed to the Office for the Coordination of Humanitarian Affairs in December 2010 and was repaid at the end of June 2011. There were three existing loans at the beginning of the reporting period. Of a total of $1.4 million loaned to the World Health Organization (WHO) in the Sudan in 2004, $1.1 million has now been repaid and $300,000 was written off by the Office of the Controller with the agreement of the Emergency Relief Coordinator. A loan of $100,000 to WHO in Chad in 2004 was also written off. Of a total of $2,660,510 loaned to the United Nations Development Programme (UNDP) in the Sudan in 2007, $1,644,474 has been repaid, leaving an outstanding balance of $1,016,036. The Emergency Relief Coordinator wrote to the resident coordinator in the Sudan in May 2011 to reiterate the need for the loan to be repaid as quickly as possible.

B. Key results based on objectives

11. The General Assembly, in its resolution 60/124, established the Central Emergency Response Fund, with three overall objectives: first, promoting early action and response to reduce loss of life; second, enhancing response to time-critical requirements; and third, strengthening core elements of humanitarian response in underfunded crises.

1. Promoting early action and response

12. Of the three objectives, the first one accounts for most of the allocations the Fund makes via the rapid response window. These allocations are made for sudden onset emergencies or crises, including both natural disasters and complex emergencies, as well as rapid deterioration of existing complex emergencies.

13. Approximately $42 million was made available when Pakistan was affected by the worst flooding in its history in July and August 2010, making it the single biggest allocation in the Fund's history. The floods affected up to 20 million people, with as many as 10 million in need of urgent assistance. The Emergency Relief Coordinator authorized successive allocations as the scale of the needs became clearer. Such funding enabled WFP to provide emergency food assistance, which by September had been delivered to more than 6 million people. WFP also used the Fund to mobilize United Nations Humanitarian Air Service air assets to deliver life-saving aid to populations in regions rendered inaccessible by the flooding. UNICEF used the Fund to launch emergency nutrition, and water and sanitation interventions. The Fund enabled IOM to rapidly procure and distribute emergency shelters and non-food items to the most vulnerable flood-affected groups. UNHCR and the United Nations Human Settlements Programme (UN-Habitat) used the Fund to provide urgently needed emergency shelter materials. Central Emergency Response Fund funding enabled the Food and Agriculture Organization of the United Nations (FAO) to support wheat planting and measures to protect livestock, thereby improving household food security and reducing malnutrition. UNDP used Central Emergency Response Fund funding to provide communities with the resources to repair roads, pavement and drainage systems. Pakistan received a further $9.9 million in rapid response funding for agencies to address the complex emergency in the north-west in April 2010.

14. Widespread instability and ongoing conflict in Yemen led to an allocation of $6.3 million from the Fund in May 2011. The Fund enabled the agencies to launch humanitarian efforts in response to political instability and violence spreading countrywide. WHO used funding from the Central Emergency Response Fund to support health providers in preparing for mass casualties, and the United Nations Population Fund (UNFPA) used funding to provide reproductive health and gender-based violence services for displaced women and girls. UNHCR used funding to provide protection for people affected by violence, while UNICEF focused on protection services for children. Years of ongoing conflict have also displaced more than 320,000 people in northern Yemen. When a political agreement suddenly opened up access to the north in April, assistance from the Fund allowed WFP to launch emergency food distribution in conflict-affected areas, reaching some 120,000 people. UNHCR and IOM made use of the Fund to provide emergency assistance, including shelter, non-food items, safe water supplies and basic sanitation.

2. Enhancing response to time-critical requirements

15. The second objective of the Fund allows humanitarian agencies to respond effectively to gradual-onset natural disasters and complex emergencies. By providing funding to meet time-critical requirements, it has been possible to prevent emergencies from escalating, mitigate their impact and reduce the overall costs of the response.

16. The Fund provided $4.7 million to FAO for a time-critical response to a locust attack in Madagascar in August 2010. It was estimated that nearly half a million vulnerable households would be affected by devastation to crops. Those funds allowed FAO to take immediate action to mitigate a catastrophe with locust control and monitoring. Inputs included two helicopters fitted with special equipment for survey and control, pesticides, communications materials and international and national expertise. FAO was able to use the funds to prevent long-term damage to livelihoods. Estimated crop losses would have been at least 28 times greater than the costs of the intervention. Strengthened survey and control capacities were also developed through the project, with a lasting impact on the ability of communities to respond to future threats.

3. Strengthening core elements of humanitarian response in underfunded crises

17. The Fund's underfunded emergencies window addresses ongoing crises that are not receiving the funding they require. One third of the Fund's grant facility is assigned to underfunded emergencies each year, in accordance with the Secretary-General's bulletin (see ST/SGB/2010/5, para. 4.3). The present reporting period covers allocations made from the second underfunded round of 2010 and the first underfunded round of 2011.

18. Two allocations were made from the Fund's underfunded window in response to severe drought in Djibouti. The East African State has suffered successive years of low rainfall, causing massive losses of livestock, destruction of crops, increased malnutrition and associated health problems. The humanitarian situation was worsened by rising food prices, and a growing refugee caseload presented additional challenges. An assessment carried out in April 2010 found that 120,000 people in rural areas (half the entire rural population) required urgent assistance. During the second round of 2010 the Fund provided $3 million for underfunded emergencies, followed by a further $3 million during the first round of 2011. WFP was able to deliver emergency food assistance and implement a protracted relief and recovery operation. UNICEF used Central Emergency Response Fund funds to manage acute malnutrition cases and provide vital water and sanitation services. WHO provided mobile health units in rural areas to reach the most vulnerable populations. FAO ensured emergency livelihood support to drought-affected people. UNHCR provided protection services and multisectoral assistance to refugees and asylum-seekers. UNFPA provided reproductive health interventions in drought-affected areas and at a major refugee camp. Humanitarian agencies report that the Fund had contributed to improved coordination and prioritization of needs, as well as kick-starting broader resource mobilization efforts.

C. Administration and management of the Central Emergency Response Fund

19. The Advisory Group of the Central Emergency Response Fund was established pursuant to General Assembly resolution 60/124 to advise the Secretary-General, through the Emergency Relief Coordinator, on the use and impact of the Fund. During the present reporting period, the Advisory Group met in Geneva in November 2010 and in Nairobi in April 2011. The Advisory Group visited the

Kakuma refugee camp in northern Kenya to see the impact of the Fund's support first-hand.[2]

20. During the April meeting the Advisory Group recognized continuing improvements in the performance and management of the Fund. In addition, the Group discussed the initial results of the five-year evaluation and other aspects of the Fund's operations. The next meeting of the Advisory Group will be held in New York on 26 and 27 October 2011.

21. The Central Emergency Response Fund performance and accountability framework was finalized in response to the recommendations contained in the two-year evaluation of the Fund. The framework was designed to clarify accountability for requests to the Fund and the use of its funds; map the tools that are available for monitoring performance and accountability; and define key performance indicators for the Fund. Following a pilot review carried out by an independent evaluation expert in Kenya early in 2010, three additional reviews[3] were carried out, in Chad, Mauritania and Sri Lanka, respectively, in October 2010. The reviews concluded that, overall, the Fund had contributed to such key elements of the humanitarian reform process as the coordination of clusters and the leadership role of the resident coordinators and humanitarian coordinators. Concerns raised by the reviews included the lack of clarity in the Fund's "life-saving criteria", the lack of funding for disaster preparedness and the limited utility of the Fund's loan component. Four additional country reviews are currently under way, in Bolivia, Colombia, Ethiopia and Zimbabwe, with final reports expected during the second half of 2011.

22. The Fund's timeliness in responding to emergencies improved during the reporting period. The average time for projects to be approved by the Emergency Relief Coordinator after receipt of final proposals was reduced from 2.7 to 2.4 working days for the rapid response window, and from 5.4 to 4.4 days for the underfunded emergencies window. An umbrella letter of understanding has been finalized and is being adopted by recipient agencies. The letter streamlines the procedure for agreements on financial disbursements made between the Emergency Relief Coordinator and recipient agencies and is expected to improve the timeliness of the Fund's disbursements.

III. Funding levels

23. Despite the continuing effects of the global downturn and economic uncertainty among many States Members of the United Nations, by 30 June 2011 the Central Emergency Response Fund had already received $422 million in pledges and contributions for 2011, which is some $10 million more than at the same time in the previous year.

24. Member States continue to demonstrate their confidence in the Fund's work through contributions. The United Kingdom of Great Britain and Northern Ireland

[2] The reports of the Advisory Group, which include its conclusions and recommendations, are available from http://ochaonline.un.org/cerf/CERFAdvisoryGroup/AdvisoryGroup2011/tabid/7554/language/en-US/Default.aspx.

[3] Reviews conducted under the Fund's performance and accountability framework are available from http://ochaonline.un.org/cerf/WhatistheCERF/EvaluationsandReviews/tabid/5340/language/en-US/Default.aspx.

provided an additional 20 million pounds (£) to the Fund in addition to its regular annual contribution of £40 million, following a positive assessment of the Fund in its multilateral aid review.

25. In 2011, the Fund has continued to broaden its support base. Twelve former donors have returned to the contributor's list. The Fund has also received contributions from several first-time donors, including Serbia and the Regional Government of Flanders (Belgium). The Fund has now received support from 123 Member States and observers, as well as from private donors and the general public. A third of the Fund's contributors have also received support from the Fund, in a strong expression of solidarity from disaster-affected countries. Total contributions received since the Fund's inception in 2006 have now exceeded $2.3 billion.

IV. Five-year evaluation

26. In its resolution 63/139, the General Assembly requested that the Secretary-General commission an independent comprehensive review of the activities of the Central Emergency Response Fund, including the ability to meet its objectives, its administration, the needs assessment process and criteria for resource allocations, at the end of its fifth year of operation, and to submit a report on its findings and recommendations to the General Assembly at its sixty-sixth session.

A. Background

27. The evaluation covered a period of five years from 2006, the date of inception of the Fund, to 2010. The evaluation was carried out by Channel Research, a Brussels-based social development consultancy selected and contracted through a process managed by the Procurement Division of the Department of Management. The evaluation was commissioned and managed by the Office for the Coordination of Humanitarian Affairs.

28. A steering group was established to guide the evaluation, helping to ensure its quality and independence. A reference group was created at the same time to provide informed feedback and ensure the evaluation's relevance and accuracy. Both groups were composed of representatives from United Nations agencies, IOM, Member States and non-governmental organizations as well as independent experts.

29. The evaluation took place over nine months, beginning in October 2010 and ending in July 2011 with the submission of the final report.[4] A range of methods were employed for the evaluation, including field visits, desktop reviews, examination of documentary archives, interviews and financial analysis. Sixteen country-level case studies were finalized in total, involving six field visits and nine desk-based studies. Meetings took place at the headquarters of nine donors and United Nations organizations. An online survey of Member States and humanitarian workers was conducted, with inputs received from more than 220 respondents.

[4] Channel Research, Five-year evaluation of the Central Emergency Response Fund, synthesis report, final draft (Ohain, Belgium, 2011). Available from http://ochanet.unocha.org/p/Documents/110726%20CERF%20Evaluation%20Report%20Final.pdf. The numbers in parenthesis in paras. 30-51 of the present document refer to paragraphs in that report.

30. The consultants noted that data collection was limited by the unstable nature of many of the countries visited by the team (para. 56). High staff turnover and a lack of clear documentation in certain areas were highlighted as further constraints (paras. 57 and 58), along with the Fund's dependence on internal United Nations agency monitoring processes (para. 59).

B. Key findings of the evaluation

1. Added value of the Fund

31. The team of consultants who conducted the evaluation found that the Central Emergency Response Fund's greatest contribution to a more effective humanitarian system came from reinforcing the broader humanitarian reform process (para. 289). The Fund had strengthened coordination by encouraging more collaborative and inclusive working practices (para. 255) and by reinforcing coordination in situations where the cluster approach had been activated (para. 243). The Fund was found to be at its most effective in countries where other elements of the humanitarian reform process were already in place (para. 344). Priority needs, for example, were more likely to be addressed by the Fund in countries where the humanitarian reform agenda was further advanced (para. 119).

32. The Fund added the most value when resident coordinators and humanitarian coordinators and, where applicable, cluster lead agencies demonstrated effective leadership at the country level (para. 100). The benefits of such leadership included improved prioritization of activities and better understanding of the Fund's life-saving criteria, which led to better selection of projects for submission to the Fund. Strong leadership also generated more inclusive decision-making processes, with greater involvement of non-governmental organizations and improved coordination between humanitarian agencies, donors and host Governments (para. 5).

33. According to the outcome of the evaluation, the Fund's rapid response window added value by increasing the predictability of humanitarian funding for new emergencies, which had been a problem before the establishment of the Fund (para. 6). Although the Fund's underfunded window had also contributed to predictability at the global level, country teams were not involved in the country selection process, and they found the window less predictable and less transparent overall. Staff in some countries reported that they were given little advance notice of underfunded allocations (paras. 229, 234 and 342).

34. Another finding of the evaluation was that the Fund worked well with other pooled fund mechanisms such as common humanitarian funds and emergency response funds. The presence of common humanitarian funds in particular was found to benefit the planning and monitoring of the Central Emergency Response Fund, and to encourage the increased involvement of non-governmental organizations (paras. 23 and 298).

35. The Fund was found to have added value by increasing coverage of humanitarian emergencies. In several countries, such as the Democratic Republic of the Congo, there were examples of agencies that would not have been able to respond without support from the Fund. Similarly, there were cases in which the agencies' operational response capacities were greatly improved with Central Emergency Response Fund funding, such as in Kenya (para. 236).

36. The Central Emergency Response Fund had become a vital source of funding for critically important underfunded common services such as transport[5] and emergency communications (para. 8). By making additional funding available, the Fund had also contributed to larger-scale responses to emergencies (para. 244).

2. Operational management of the Fund

37. A marked improvement was observed in the capacity and functioning of the Fund's secretariat during its five years of operation, with significant improvements to the Fund's responsiveness, criteria for project selection and accountability (para. 268). A service-oriented culture within the secretariat had increased levels of trust for the Fund among its stakeholders, and respondents expressed satisfaction with the secretariat's responsiveness, accessibility, consultative processes and openness to constructive criticism and learning (para. 269). The secretariat was described as a good practice model of a United Nations body facilitating inter-agency processes (para. 280) and a positive influence on the United Nations humanitarian system generally (para. 335).

38. Competition between agencies for funding was noted as a structural weakness of the humanitarian system generally, which could be accentuated by the introduction of Central Emergency Response Fund funding. The competitive nature of humanitarian funding was viewed as an obstacle to inclusiveness, potentially contributing to distrust and division between agencies and non-governmental organizations (para. 11). Those fault lines appeared at the country level during the Fund's underfunded emergencies window allocations in particular (para. 232).

39. In the view of the evaluation team, the Fund's dependence on the agencies for assessments and monitoring was an enduring operational weakness. The Fund was overly dependent on internal agency monitoring processes, which varied by agency and country. Comparable periodic data was absent, and the data that was available was mostly internal to agencies and hard to access (para. 59). While the resident coordinators and humanitarian coordinators were responsible for recommending the funding of projects, neither they nor the Office for the Coordination of Humanitarian Affairs had the authority to exercise any form of oversight (para. 168). When inter-agency joint needs assessments and jointly developed needs indicators were used as the basis for submissions to the Fund, needs were more likely to be well-prioritized (para. 120).

40. The consultants noted that the proportion of the 3 per cent levied on disbursements from the Fund retained by the Office of the Controller exceeded the real financial management costs for the Fund, and suggested that part of those funds would be better spent on improving Fund monitoring at the country level (paras. 283 and 345).

41. The consultants remarked that the Advisory Group of the Central Emergency Response Fund had played a useful role, but emphasized that greater diversity, not just in terms of gender and geographical balance, but also in terms of humanitarian sector and operational backgrounds in recipient countries, would significantly improve the quality and relevance of the guidance provided (paras. 292 and 345).

[5] Includes humanitarian air services.

3. Achievements of the Fund

42. A finding of the evaluation was that the Central Emergency Response Fund's rapid response window was one of the quickest funding mechanisms available to humanitarian agencies (para. 14). The earthquake in Haiti in 2010 was cited as a good example of the Fund's ability to provide funding rapidly. In that case, the Emergency Relief Coordinator announced an allocation from the Fund within 24 hours of the earthquake, and funding was disbursed in less than a week (para. 199). The consultants emphasized, however, that except in the most time-critical cases, coordination was more important than speed, and the Fund helped to ensure that assistance was coordinated as well as rapid (para. 220).

43. The consultants also noted that the Fund promoted early action by guaranteeing funding, particularly when the agencies had access to their own internal emergency reserve funds. Agencies, in those cases, were able to launch activities using their own emergency reserves with the knowledge that they would then be able to use the resources of the Fund to supplement their response or repay their internal reserves (paras. 15 and 16). The Fund also enabled agencies to kick-start relief efforts and leverage funding from other donors by establishing an initial presence or demonstrating their capacity to implement a particular approach (para. 240).

44. In the view of the evaluation team, new procedures and clearer criteria had improved the Fund's fairness and timeliness. Improvements made since the two-year evaluation had created a more equitable system for the arbitration of proposals submitted by agencies. The Fund's timeliness had also improved steadily since its inception (para. 17).

4. Accountability and the Fund

45. It was determined that the Fund had become more accountable, with improvements to information systems and the development of a performance and accountability framework (para. 9). Information flows remained weak, however, and the Fund's secretariat faced difficulties in obtaining information from United Nations country teams operating in crisis situations with limited resources (para. 19). Annual reports on use of the Fund, provided by agencies to resident coordinators and humanitarian coordinators at the country level, were of variable quality and often lacked such basic data as beneficiary figures, achievements based on indicators and funding provided to non-governmental organization partners (para. 156).

46. The performance and accountability framework was weakened by a lack of systematic reporting on results at the beneficiary level, which was the responsibility of the agencies. Although the Fund's strong strategic management was acknowledged, it was reportedly difficult to demonstrate results systematically at the country level (para. 163).

47. According to the report, there was a need for independent evaluations and reviews of activities supported by the Fund, which were left to the discretion of recipient agencies. The FAO evaluation of its use of the Fund, carried out in October 2010, was cited as an example of good practice. Similarly, the Fund was found not to have been adequately reviewed during inter-agency real-time evaluations (para. 20).

5. Factors related to the effectiveness of the Fund

48. Also noted was the lack of direct access to the Fund by non-governmental organizations, which continued to be an issue. Although the agencies provided limited information on the amounts disbursed to non-governmental organizations (para. 207), the consultants estimated that non-governmental organizations received approximately 25 per cent of all Central Emergency Response Fund funding (para. 332). Although fewer than one in four non-governmental organization survey respondents regarded the Fund's processes as "largely inclusive" (para. 107), there were improvements in the engagement of non-governmental organizations with the Fund's prioritization and planning processes (para. 5). A lack of direct access to funding was less of an issue for non-governmental organizations in countries where there were pooled funds, such as common humanitarian funds and emergency response funds (para. 23). The consultants concluded that, while lack of direct access to the Fund did lead to slower disbursements to non-governmental organizations overall, the humanitarian reform process overall was reinforced by channelling Central Emergency Response Fund funding through the agencies acting as cluster leads (para. 334).

49. According to the report, while the Fund's rapid response disbursements to United Nations agencies had become quicker over time, forwarding funds to non-governmental organizations took an estimated additional two and a half to three months on average (para. 330). The extent of the delay depended on the time taken to negotiate agreements between the agencies and the non-governmental organization implementing partners (para. 211). A correlation between speed and the relative experience of an agency in implementing through non-governmental organizations was noted (para. 216). Disbursements were also found to be quicker when framework agreements between the agencies and non-governmental organizations were in place prior to a crisis (para. 213).

50. It was pointed out that although the Fund had been well-supported by donors, just seven donors provided over 80 per cent of its funding. A number of major donors did not support the Fund on a scale commensurate with their general humanitarian funding. The Fund was also sensitive to changes in exchange rates against the United States dollar (para. 347).

51. Another finding was that the Fund's loan component had fallen into relative disuse, with just $9.9 million loaned in 2010 despite an overall value of $76 million, including interest. Many of the large agencies maintained their own internal loan facilities, which were generally more accessible and more flexible than the Fund's loan component (paras. 79 and 321); however, the loan component could still serve a useful function as a reserve in years with a very high number of emergencies (para. 97).

C. Recommendations and planned follow-up actions

52. Following the finalization of the five-year evaluation, the secretariat of the Fund was directed by the Emergency Relief Coordinator to review the findings and recommendations contained in the evaluation and develop a management response plan. The plan was intended to provide a clear set of follow-up actions to ensure that the Fund would build upon those findings in moving forward. A total of 19 recommendations were presented in the evaluation and are included in the

present report. Also provided is a summary of the key planned follow-up actions for the secretariat of the Fund as set out in the management response plan[6] to be implemented in 2011 and 2012.

1. Recommendations to the Emergency Relief Coordinator

53. **Recommendation 1. Where emergency response fund and/or common humanitarian fund pooled fund systems operate, integrate Central Emergency Response Fund planning, implementation and monitoring processes based on existing good practice examples.** The recommendation was accepted. It is an existing priority for the secretariat of the Fund, and some guidance has already been developed. The secretariat will prepare a study of current practices and capacities of existing pooled funds before developing detailed guidance for country offices of the Office for the Coordination of Humanitarian Affairs on harmonization of Fund and pooled fund procedures. The secretariat will also establish procedures for tracking implementation at the country level and identifying best practices.

54. **Recommendation 2. Provide the resident coordinator or humanitarian coordinator with a formal mandate to monitor the implementation of all United Nations-managed pooled funds (including the Central Emergency Response Fund) by recipient agencies.** The recommendation was partially accepted. The revised Secretary-General's bulletin on the establishment and operation of the Central Emergency Response Fund (ST/SGB/2010/05) of 23 April 2010 states, "Resident coordinators or resident/humanitarian coordinators shall oversee the monitoring of and narrative reporting on projects funded by the Fund". Increased support to resident coordinators and humanitarian coordinators in exercising their monitoring function will be provided in accordance with changes made under recommendation 8 (see para. 60).

55. **Recommendation 3. Develop a process for underfunded emergency envelopes that promotes more effective and efficient use of Central Emergency Response Fund funds.** The recommendation was accepted. Although the secretariat of the Fund undertook a comprehensive review of the underfunded window in 2009, the secretariat will conduct research to identify improved methods for selecting participating countries for the underfunded emergencies window. The secretariat will also broaden its efforts to promote better understanding of underfunded emergencies procedures and outcomes at the country level.

56. **Recommendation 4. Make the membership of the Advisory Group of the Central Emergency Response Fund more representative of the humanitarian sector, including through appropriate representation of advisers with operational backgrounds in Fund recipient countries.** The recommendation was accepted. High importance has always been given to humanitarian experience and diverse representation among Advisory Group members. The secretariat of the Fund will further encourage nominations from those with humanitarian experience by reviewing the Advisory Group's selection process.

57. **Recommendation 5. Strengthen the funding base for the Central Emergency Response Fund by promoting it to existing and potential new donors as an efficient, effective and accountable humanitarian funding**

[6] Available in full from http://ochanet.unocha.org/p/Documents/20110819%20CERF%205YE%20MRP%20Final%20Version.pdf.

mechanism. The recommendation was accepted. One of the main strengths of the Fund has been its wide support from Member States, which now needs to be further deepened. The Fund's resource mobilization strategy will be revised. Four Member State briefings on the Fund will continue to be conducted annually, as well as a high-level conference. Public messaging will be further improved with the distribution of analytical newsletters, the annual report, press releases, and updates via the Fund's website.

58. **Recommendation 6. In the screening process for submissions relating to chronic emergencies, request information on how short-term funding provided by the Fund would support longer-term vulnerability reduction programmes, which are usually government-led.** The recommendation was partially accepted. When reviewing funding applications from countries with protracted emergencies, the secretariat of the Fund will request additional information on how proposed initiatives relate to longer-term recovery and vulnerability reduction. Based on the effectiveness of this initiative, the secretariat will consider revising the Fund's application format to more systematically collect and analyse that information.

2. Recommendations to the secretariat of the Fund

59. **Recommendation 7. Develop prioritization process guidance for United Nations resident coordinators and humanitarian coordinators and cluster coordinators.** The recommendation was accepted. The secretariat of the Fund will gather and review lessons learned on prioritization from recipient countries, before preparing new guidelines reflecting best practices. Guidance will be developed consistently with the Fund's existing life-saving criteria and other humanitarian planning and financing instruments such as country-based pooled funds, consolidated appeals and flash appeals. The secretariat will encourage the inclusion of a section on prioritization in training for United Nations humanitarian coordinators and cluster/sector coordinators, and will establish a community of practice on humanitarian financing to allow for the exchange of good practices.

60. **Recommendation 8. Strengthen Central Emergency Response Fund monitoring and learning systems at the country level to improve the Fund's impact.** The recommendation was partially accepted. In 2012 the secretariat of the Fund will review country-level Fund monitoring and learning systems, and the Fund's performance and accountability framework. The inclusion of Central Emergency Response Fund issues in inter-agency real-time evaluations will be encouraged. The secretariat will support United Nations country teams in conducting inter-agency workshops at the country level as part of their annual reporting on the Fund. Guidance and templates for annual reporting will be revised with the aim of encouraging interactive and inclusive processes that facilitate learning. Guidelines for the Fund's after-action reviews at the country level will also be finalized and shared. The secretariat will review current monitoring practices of country-based pooled funds and identify options for linking them with the monitoring of interventions funded by the Fund.

61. **Recommendation 9. Commission, within one year, a study of the partnership arrangements of the different United Nations agencies with non-governmental organization implementing partners.** The recommendation was partially accepted. The secretariat of the Fund will launch discussions within the Inter-Agency Standing Committee Sub-Working Group on Humanitarian

Financing (the primary forum for Committee discussions of issues related to the Fund) on a review of non-governmental organization sub-granting procedures.

62. **Recommendation 10. Better document and disseminate the reasoning behind allocation decisions.** The recommendation was accepted. The secretariat of the Fund will continue working to improve the Fund's transparency, communication and dissemination of information. Public information products, such as the overview of the country selection process prepared for the second underfunded emergencies round of 2011,[7] will be more systematically produced and shared. Efforts to promote better understanding of underfunded emergencies procedures and outcomes at the country level will also be broadened (see recommendation 3). In addition, the secretariat will ensure that information from all levels of the decision-making process is presented clearly in the Fund's submission documents.

3. Recommendations to the Office of the Controller

63. **Recommendation 11. Allocate a percentage of Central Emergency Response Fund funds from the 3 per cent United Nations Secretariat management fees to reinforce the monitoring capacity of the resident coordinators and humanitarian coordinators and the Office for the Coordination of Humanitarian Affairs at the country level.** The response to this recommendation is pending. The standard programme support cost normally charged on United Nations trust funds has been reduced from 13 to 10 per cent for the Fund, of which 7 per cent is passed on to the Fund's implementing partners. The Office of the Controller and the secretariat of the Fund will jointly review the administrative aspects of the recommendation and determine the best way forward. Should there be changes to the Fund's monitoring and reporting framework (see recommendation 8, para. 60) the secretariat will review whether it will be necessary to strengthen monitoring capacity at the country level.

64. **Recommendation 12. The Central Emergency Response Fund loan fund should be reduced to US$ 30 million and the balance transferred to the grant window.** The recommendation was accepted. This recommendation is consistent with the findings of a study conducted by the secretariat of the Fund and accepted by its Advisory Group in April 2011. The secretariat will now develop a proposal on reform of the loan element for presentation to the Advisory Group at its October 2011 meeting. Consultations will be carried out on legislative steps required for reform of the Fund's loan element, including possible authorization by the General Assembly.

4. Recommendations to donors

65. **Recommendation 13. In at-risk countries where there are no alternate United Nations pooled fund mechanisms apart from the Central Emergency Response Fund, donors should support the establishment of an emergency response fund or other type of pooled funding that is directly accessible by non-governmental organizations.** The recommendation was partially accepted. While the establishment of a country-based pooled fund often makes an important contribution to the local humanitarian architecture, donors will be encouraged to

[7] Available from http://ochanet.unocha.org/p/Documents/CERF%202011%20Second%20Underfunded%20Round%20-%20description%20of%20decisions%20-%201Aug2011.pdf.

consider countries on a case-by-case basis. Not every country context will be suitable for a country-based pooled fund arrangement.

66. **Recommendation 14. Ensure that future evaluations look collectively at the Fund and other United Nations pooled fund mechanisms.** The recommendation was accepted. The secretariat of the Fund will advocate for consideration to be given to the interaction of the Fund with country-based pooled funds during future evaluations. The secretariat will also continue to include the issue in country-level performance and accountability framework reviews.

5. Recommendations to cluster lead agencies

67. **Recommendation 15. Integrate performance measurement of United Nations-managed pooled funds into cluster performance systems.** The recommendation was partially accepted. The secretariat of the Fund will work with Inter-Agency Standing Committee partners to ensure that the terms of reference for cluster lead agencies adequately reflect their responsibilities relating to the Fund and country-based pooled funds. The secretariat will also work with the Committee's Sub-Working Group on Humanitarian Financing to explore options for closer integration of the Fund, with broader cluster/sector monitoring and reporting frameworks at the country level.

68. **Recommendation 16. Disseminate and promote good practice examples.** The recommendation was partially accepted. The secretariat of the Fund will work with partners to identify and disseminate good practice examples. A "good practice repository" will be developed and promoted among country and headquarters level-staff involved with the Fund. The secretariat will also highlight good practices on its website and in its information products.

6. Recommendations to the agencies

69. **Recommendation 17. Conduct an evaluation of agency use of Central Emergency Response Fund funds within 18 months to determine what internal factors, including partnership policies and practices, influence the effectiveness of the Fund's projects.** The recommendation was partially accepted. The secretariat of the Fund will encourage the agencies to carry out evaluations of their use of its funds and provide them with its full support.

70. **Recommendation 18. Ensure the development and implementation of emergency procedures for disbursing funds to implementing partners.** The recommendation was partially accepted. The secretariat of the Fund will encourage the agencies to improve their procedures for disbursing Central Emergency Response Fund funds to implementing partners and provide them with its full support.

71. **Recommendation 19. United Nations agencies that do not use internal advance mechanisms in conjunction with Central Emergency Response Fund funding should establish interactivity and complementarities between these and the Fund, in order to speed up the start up of projects.** The recommendation was partially accepted. The secretariat of the Fund will prepare a concept note on the use of the Fund's loan element to support agency-specific internal advance mechanisms. The secretariat will support the establishment of internal advance mechanisms among the agencies using the Fund's loan element where appropriate.

V. Conclusions

72. During the present reporting period the Central Emergency Response Fund again demonstrated its effectiveness as a tool for collective emergency response. The Fund continues to fulfil its mandate by efficiently promoting early action and response to reduce loss of life, enhancing response to time-critical requirements, and strengthening core elements of humanitarian response in underfunded crises. A diverse range of emergencies in the reporting period illustrate the extent to which the Fund contributes to addressing the most urgent, life-saving humanitarian needs.

73. The five-year evaluation marks a major milestone for the Fund, and provides evidence to demonstrate its many strengths, in line with the objectives set by the General Assembly. The Fund adds value to the humanitarian system by contributing to improved leadership, better predictability and greater coverage of humanitarian emergencies. There have been significant improvements to the Fund's operational management during the five years since its inception, with greater responsiveness, better procedures and more accountability than ever before. The Central Emergency Response Fund has become one of the quickest funding mechanisms available to humanitarian agencies, while also becoming more equitable in its operation.

74. By identifying areas for improvement and making concrete recommendations, the five-year evaluation also provides the catalyst for improvements to be made to the Fund. The management response plan developed by the Fund's secretariat under the direction of the Emergency Relief Coordinator now provides a clear road map for moving forward with the next stage of the Fund's development. The changes proposed in the plan, many of which are already under way, will make the Fund not only more effective and more efficient, but also more accountable and transparent.

75. An increasing number of Member States, as well as private donors and the general public, demonstrate their confidence in the Fund's life-saving work through their sustained support. The Fund will continue building on its strengths and addressing its weaknesses to meet the high expectations of its supporters and beneficiaries alike.

Annex I

Central Emergency Response Fund grants: interim statement of income and expenditure for the eighteen-month period from 1 January 2010 to 30 June 2011

(United States dollars)

	1 January 2010–31 December 2010	*1 January 2011–30 June 2011*	*Total 1 January 2010–30 June 2011*
Income			
Voluntary contributions	428 656 698	387 683 184	816 339 882
Allocations from other funds[a]	2 772 884	117 011	2 889 895
Interest income	3 619 338	2 447 676	6 067 014
Other/miscellaneous income[b]	14 897 491	9 009 233	23 906 724
Total income	**449 946 411**	**399 257 104**	**849 203 515**
Expenditure			
Other	431 033 738	160 000 584	591 034 322
Programme support costs (implementing partners)	29 936 508	11 107 831	41 044 339
Total direct expenditure	**460 970 246**	**171 108 415**	**632 078 661**
Programme support costs (United Nations)	12 931 012	4 799 036	17 730 048
Total expenditure	**473 901 258**	**175 907 451**	**649 808 709**
Excess (shortfall) of income over expenditure	**(23 954 847)**	**223 349 653**	**199 394 806**
Prior period adjustments[c]	778 154	25 442	803 596
Net excess (shortfall) of income over expenditure	**(23 176 693)**	**223 375 095**	**200 198 402**
Reserves and fund balances, beginning of period	158 802 161	135 625 468	158 802 161
Reserves and fund balances, end of period	**135 625 468**	**359 000 563**	**359 000 563**

[a] Represents allocations from United Nations Fund for International Partnerships (UNFIP).

[b] Includes cancellations of prior period obligations of $14,092,700, related programme support cost adjustment of $404,512 and gain of exchange of $9,293,186.

[c] Represents the following adjustments: $1,058,596 to prior biennium expenditures reported by implementing partners and $30,000 to a pledge in 2009 by the Government of San Marino, partially offset by adjustments to pledges in 2009 by the Governments of Japan ($100,000), Slovakia ($10,000) and the United Arab Emirates ($150,000), and a write-off of a pledge by the Government of Kazakhstan in 2009 ($25,000).

Annex II

Total contributions to the Central Emergency Response Fund, 1 January 2010 to 30 June 2011

(United States dollars)

	2010		2011		
Contributor	Pledged	Received	Intended	Pledged	Received
Member States and observers					
Afghanistan	1 500.00	1 500.00		500.00	500.00
Albania				4 000.00	4 000.00
Algeria	10 000.00	10 000.00		10 000.00	10 000.00
Andorra	46 527.00	46 527.00		30 104.71	
Antigua and Barbuda	5 000.00	5 000.00			
Argentina	50 000.00	50 000.00			
Armenia	5 000.00	5 000.00			
Australia	10 986 000.00	10 986 000.00		13 906 200.00	13 906 200.00
Austria	548 400.00	548 400.00		289 180.00	289 180.00
Azerbaijan				10 000.00	10 000.00
Bangladesh	5 000.00	5 000.00		10 000.00	10 000.00
Belgium	8 387 538.32	8 387 538.32	8 583 690.99		
Bhutan	1 500.00	1 500.00		1 500.00	1 500.00
Brazil	200 000.00	200 000.00		500 000.00	500 000.00
Brunei Darussalam				50 000.00	50 000.00
Canada	37 328 450.04	37 328 450.04		41 188 191.22	41 188 191.22
Central African Republic	197 238.66	197 238.66			
Chile	30 000.00	30 000.00			
China	1 500 000.00	1 500 000.00		500 000.00	500 000.00
Colombia	30 000.00	30 000.00			
Costa Rica	9 642.91	9 642.91			
Croatia	25 000.00	25 000.00			
Cyprus	30 000.00	30 000.00		27 600.00	27 600.00
Czech Republic				137 657.62	137 657.62
Denmark	11 135 477.69	11 135 477.69	9 591 406.10		
Djibouti	4 000.00	4 000.00	1 000.00		
Ecuador					
Egypt	15 000.00	15 000.00		15 000.00	
Estonia	74 057.00	74 057.00		92 302.00	92 302.00
Finland	8 079 000.00	8 079 000.00	9 298 998.57		
France	657 250.00	657 250.00		720 950.00	720 950.00
Georgia	2 000.00	2 000.00			

	2010		2011		
Contributor	*Pledged*	*Received*	*Intended*	*Pledged*	*Received*
Germany	21 735 000.00	21 735 000.00		16 370 000.00	16 370 000.00
Greece	500 000.00	500 000.00		500 000.00	500 000.00
Hungary				50 000.00	50 000.00
Iceland	100 000.00	100 000.00			
India	500 000.00	500 000.00		500 000.00	500 000.00
Indonesia	150 000.00	150 000.00	175 000.00		
Ireland	5 099 972.00	5 099 972.00		5 466 772.00	5 466 772.00
Israel	20 000.00	20 000.00	20 000.00		
Italy	1 502 270.00	1 502 270.00		1 308 100.00	1 308 100.00
Japan	2 000 000.00	2 000 000.00	3 000 000.00		
Kazakhstan	50 000.00	50 000.00	50 000.00		
Kuwait	34 600.00	34 600.00		675 000.00	675 000.00
Lao People's Democratic Republic				3 000.00	3 000.00
Latvia	20 672.55	20 672.55			
Lebanon	3 000.00				
Liechtenstein	235 072.87	235 072.87	300 120.05		
Luxembourg	5 775 000.00	5 775 000.00		5 982 905.98	5 982 905.98
The former Yugoslav Republic of Macedonia	5 000.00	5 000.00			
Madagascar	2 000.00	2 000.00			
Malaysia				100 000.00	100 000.00
Maldives				1 000.00	1 000.00
Mauritania	3 843.64				
Mexico	150 000.00	150 000.00			
Monaco	134 778.33	134 778.33		140 116.25	140 116.25
Montenegro	5 000.00	5 000.00		5 000.00	
Morocco	5 000.00	5 000.00		5 000.00	5 000.00
Mozambique	4 000.00	4 000.00			
Myanmar	10 000.00	10 000.00		10 000.00	10 000.00
Namibia	2 000.00	2 000.00		2 000.00	2 000.00
Netherlands	54 984 000.00	54 984 000.00		54 460 000.00	54 460 000.00
New Zealand	1 000 000.00	1 000 000.00		1 478 974.50	1 478 974.50
Nigeria				99 851 64	99 851.64
Norway	65 483 534.81	65 483 534.81		57 549 592.89	57 549 592.89
Pakistan	19 170.67	19 170.67			
Panama	5 000.00	5 000.00			
Philippines	10 000.00	10 000.00			
Poland	250 000.00	250 000.00			
Portugal	286 000.00	286 000.00		267 180.00	267 180.00

Contributor	2010		2011		
	Pledged	*Received*	*Intended*	*Pledged*	*Received*
Qatar				4 000 000.00	4 000 000.00
Republic of Korea	3 000 000.00	3 000 000.00		3 000 000.00	3 000 000.00
Republic of Moldova	10 000.00	10 000.00			
Romania	136 900.00	136 900.00			
Russian Federation	2 000 000.00	2 000 000.00		2 000 000.00	2 000 000.00
San Marino	100 000.00	100 000.00			
Serbia				2 000.00	2 000.00
Singapore	30 000.00	30 000.00		50 000.00	50 000.00
Slovenia	62 918.34	13 617.00		70 990.00	70 990.00
South Africa	263 540.00	263 540.00		272 479.56	272 479.56
Spain	39 585 000.00	39 585 000.00			
Sri Lanka	10 000.00	10 000.00		10 000.00	10 000.00
Saint Lucia	1 000.00	1 000.00		500.00	
Sweden	64 369 547.93	64 369 547.93		74 483 670.84	74 483 670.84
Switzerland	4 568 942.57	4 568 942.57		6 071 999.78	6 071 999.78
Syrian Arab Republic	5 000.00	5 000.00			
Tajikistan	2 000.00	2 000.00			
Trinidad and Tobago	20 000.00	20 000.00			
Turkey	200 000.00	200 000.00		250 000.00	250 000.00
Ukraine	503 310.34	503 310.34			
United Arab Emirates	50 000.00	50 000.00		50 000.00	50 000.00
United Kingdom	60 005 700.00	60 005 700.00		94 280 000.00	94 280 000.00
United States of America	10 000 000.00	10 000 000.00		6 000 000.00	6 000 000.00
Viet Nam			10 000.00		
Holy See	5 000.00	5 000.00		5 000.00	5 000.00
Sovereign Military Order of Malta	5 000.00	5 000.00		5 000.00	5 000.00
Total, Member States and observers	**424 382 355.67**	**424 326 210.69**	**31 030 215.70**	**393 019 318.99**	**392 968 714.28**
Others					
Abu Dhabi National Energy Company "TAQA"	272 257.01	272 257.01			
Alexander Bodini Foundation	20 000.00	20 000.00			
Baha'i International Community (National Spiritual Assembly)	20 000.00	20 000.00			
BASF (Germany and South-East Asia)	761 031.51	761 031.51			
Bilkent Holding AS	10 000.00	10 000.00			
Chung Te Buddhist Association of New York, Inc.	41 771.22	41 771.22			
Daystar Christian Centre	20 000.00	20 000.00			
ENDESA Peru	12 947.90	12 947.90			

Contributor	2010		2011		
	Pledged	*Received*	*Intended*	*Pledged*	*Received*
ENDESA Spain	55 192.79	55 192.79			
GMC Services	20 000.00	20 000.00			
HSBC Bank Middle East Limited	16 825.35	16 825.35			
Jefferies and Company	1 000 000.00	1 000 000.00			
Kimse Yok Mu				10 000.00	10 000.00
Korean and Overseas Fans of Kim Hyun Joong	19 293.00	19 293.00			
Latin American Benevolent Foundation	25 000.00	25 000.00			
PriceWaterhouseCoopers	200 000.00	200 000.00			
Private donations outside United Nations Foundation (under $10,000)	89 756.62	89 756.62		1 915.48	1 915.48
Private donations through United Nations Foundation	1 172 884.00	1 172 884.00		117 011.00	117 011.00
Regional Government of Flanders (Belgium)			421 080.00		
Skanska USA Building, Inc.	50 000.00	50 000.00			
United Islamic Center	20 000.00	20 000.00			
United Nations Foundation (core fund)	250 000.00	250 000.00			
United Nations spouses bazaar	35 113.43	35 113.43			
Western Union	150 000.00	150 000.00	100 000.00		
World Mission Society, Church of God	100 000.00	100 000.00			
Total, others	**4 362 072.83**	**4 362 072.83**	**521 080.00**	**128 926.48**	**128 926.48**
Total	**428 744 428.50**	**428 688 283.52**	**31 551 295.70**	**393 148 245.47**	**393 097 640.76**

Notes:

(1) Intended contributions are supported by verbal announcements or documents, but are not officially recognized in United Nations financial records as of 30 June 2011.

(2) Received contributions may differ from the originally recorded pledges due to fluctuations in exchange rates.

(3) Pledges were recorded for the Governments of Belgium, the Czech Republic (additional amount), Ecuador, Finland, Israel, Japan, Mexico, Poland and Spain, and the Regional Government of Flanders (Belgium) after the end of the reporting period 30 June 2011.

(4) Contributions were received from the Governments of Andorra, the Czech Republic (additional amount), Ecuador, Finland, Israel, Japan and Poland, and the Regional Government of Flanders (Belgium) after the end of the reporting period 30 June 2011.

(5) The Holy See and the Sovereign Military Order of Malta are observers of the United Nations.

Annex III

Total funds disbursed from the Central Emergency Response Fund, 1 January 2010 to 30 June 2011

(United States dollars)

	2010			2011		
Country	*Rapid Response*	*Underfunded*	*Total disbursement*	*Rapid Response*	*Underfunded*	*Total disbursement*
Afghanistan		11 019 952	11 019 952			
Benin	4 390 369		4 390 369			
Bolivia	4 489 065		4 489 065	2 584 669		2 584 669
Burkina Faso	1 966 070		1 966 070			
Burundi					3 999 812	3 999 812
Cameroon	652 684		652 684			
Central African Republic	3 102 465	2 997 013	6 099 478		4 999 120	4 999 120
Chad	7 774 525	15 065 031	22 839 556	3 168 302	8 039 204	11 207 506
Chile	10 283 575		10 283 575			
China	4 719 705		4 719 705			
Colombia	3 640 647	2 966 719	6 607 366		2 939 401	2 939 401
Congo	6 084 203	2 883 496	8 967 699			
Côte d'Ivoire	412 313		412 313	10 299 134		10 299 134
Democratic People's Republic of Korea		13 440 519	13 440 519	9 983 492	4 999 783	14 983 275
Democratic Republic of the Congo	5 090 973	24 035 653	29 126 626			
Djibouti		2 999 757	2 999 757		2 998 322	2 998 322
Dominican Republic	1 941 576		1 941 576			
Eritrea		5 972 098	5 972 098			
Ethiopia		16 690 193	16 690 193		10 998 225	10 998 225
Gambia	563 955		563 955			
Georgia	293 394		293 394			
Guatemala	3 376 068		3 376 068			
Guinea		1 971 425	1 971 425			
Haiti	36 564 849		36 564 849	10 371 212		10 371 212
Honduras	1 553 005		1 553 005			
Iran (Islamic Republic of)					2 992 466	2 992 466
Iraq	1 500 000		1 500 000			
Kenya	10 048 510	9 981 466	20 029 976		5 993 848	5 993 848
Kyrgyzstan	10 076 490		10 076 490			
Lesotho	645 959		645 959	1 347 306		1 347 306
Liberia				5 988 454		5 988 454
Libyan Arab Jamahiriya				1 444 890		1 444 890
Madagascar	4 725 398		4 725 398		3 994 126	3 994 126

Country	2010			2011		
	Rapid Response	Underfunded	Total disbursement	Rapid Response	Underfunded	Total disbursement
Mali	1 503 989		1 503 989			
Mauritania	1 751 722		1 751 722	679 425		679 425
Mongolia	3 556 532		3 556 532			
Mozambique	2 624 107		2 624 107	1 462 910		1 462 910
Myanmar	8 468 653	3 987 182	12 455 835		2 993 060	2 993 060
Namibia				1 175 941		1 175 941
Nepal	6 000 000	2 000 031	8 000 031			
Niger	29 015 516	5 999 924	35 015 440	3 747 218		3 747 218
Nigeria	1 999 202		1 999 202			
Occupied Palestinian Territory					3 972 686	3 972 686
Pakistan	51 832 831		51 832 831	4 990 394		4 990 394
Philippines		2 997 112	2 997 112			
Senegal	268 235		268 235			
Somalia	33 219 558		33 219 558		14 989 087	14 989 087
Sri Lanka	15 690 704		15 690 704	6 141 383	4 980 047	11 121 430
Sudan	23 856 917		23 856 917	7 829 172		7 829 172
Syrian Arab Republic				720 988		720 988
Tajikistan	941 309		941 309			
Togo	2 613 675		2 613 675			
Tunisia				4 997 940		4 997 940
Uzbekistan	2 981 631		2 981 631			
Yemen	1 139 692	14 163 186	15 302 878	6 291 413		6 291 413
Zimbabwe	10 439 418		10 439 418	3 999 494	4 995 491	8 994 985
Total	**321 799 489**	**139 170 757**	**460 970 246**	**87 223 737**	**83 884 678**	**171 108 415**

Annex IV

Central Emergency Response Fund loans: interim statement of income and expenditure for the eighteen-month period from 1 January 2010 to 30 June 2011

(United States dollars)

	1 January 2010-31 December 2010	*1 January 2011-30 June 2011*	*Total 1 January 2010-30 June 2011*
Income			
Interest income	1 535 733	630 650	2 166 383
Total income	**1 535 733**	**630 650**	**2 166 383**
Expenditure			
Programme support costs (implementing partners)			
Total direct expenditure	—	—	—
Programme support costs (United Nations)			
Total expenditure	—	—	—
Excess (shortfall) of income over expenditure	**1 535 733**	**630 650**	**2 166 383**
Prior period adjustments[a]		(400 000)	(400 000)
Net excess (shortfall) of income over expenditure	**1 535 733**	**230 650**	**1 766 383**
Reserves and fund balances, beginning of period	74 694 062	76 229 795	74 694 062
Reserves and fund balances, end of period	**76 229 795**	**76 460 445**	**76 460 445**

[a] Represents a write-off of loan to WHO in 2004.

Annex V

Central Emergency Response Fund loans, 1 January 2010 to 30 June 2011

(United States dollars)

Agency	*Country/region*	*Year of disbursement*	*Amount*
Outstanding loans as at 1 January 2010			
WHO	Chad/Sudan	2004	400 000
UNDP	Sudan	2007	1 214 243
OCHA	OCHA regional/country offices	2009	2 568 086
Total			**4 182 329**
Loans disbursed, 1 January 2010-30 June 2011			
OCHA	OCHA regional/country offices	2010	9 949 429
Total			**9 949 429**
Loans repaid, 1 January 2010-30 June 2011			
UNDP	Sudan	2007	198 207
OCHA	OCHA regional/country offices	2009	2 568 086
OCHA	OCHA regional/country offices	2010	9 949 429
Total			**12 715 722**
Loans written off by the Office of the Controller of the United Nations, 1 January 2010-30 June 2011			
WHO	Chad/Sudan	2004	400 000
Total			**400 000**
Outstanding loans as at 30 June 2011			
UNDP	Sudan	2007	1 016 036
Total			**1 016 036**

Abbreviations: WHO World Health Organization; UNDP United Nations Development Programme; OCHA Office for the Coordination of Humanitarian Affairs.